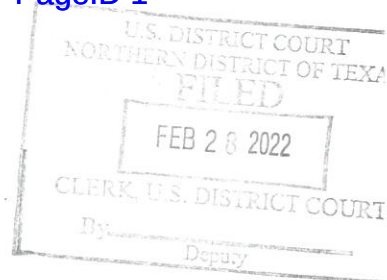


IN THE UNITED STATES DISTRICT COURT  
FOR THE Northern DISTRICT OF TEXAS  
DIVISION



Freddie Monroe Pickett #02249871  
Plaintiff's Name and ID Number  
Fort Stockton Unit 1536 IH 10 East  
Fort Stockton Texas 79735  
Place of Confinement

CASE NO. **4-22CV-154-**  
(Clerk will assign the number)

v.

STATE OF TEXAS, 356 Fed. Appx. 756 (2009)  
Defendant's Name and Address

(Jurisdiction Appeal on  
Pickett v Texas 356 Fed. Appx. 756)

David W. Vernon, Assistant District Attorney  
Defendant's Name and Address  
Glenda Rickman, Custodian of Records / TDCJ-CID  
Mr Garza, Mr. Clement + Mr. Owen  
Defendant's Name and Address  
Debra Gibb  
Judge Term R. Meani  
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

*17.m.p* 1

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

## CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

### I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment?   YES     NO
- B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: \_\_\_\_\_
2. Parties to previous lawsuit:  
Plaintiff(s) \_\_\_\_\_  
Defendant(s) \_\_\_\_\_
3. Court: (If federal, name the district; if state, name the county.) \_\_\_\_\_
4. Cause number: \_\_\_\_\_
5. Name of judge to whom case was assigned: \_\_\_\_\_
6. Disposition: (Was the case dismissed, appealed, still pending?) \_\_\_\_\_
7. Approximate date of disposition: \_\_\_\_\_



II. PLACE OF PRESENT CONFINEMENT: Fort Stockton Unit "NS" TDCJ

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ☒ YES ☐ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT: now in Court of Criminal Appeal WSR 62,048-05

A. Name and address of plaintiff: will attach two to 42 use 1983 have exhausted  
19 "step 1" and "step 2" grievance over "NCIC report" CR:305.36  
Simple Assault Feb-23-1995 was alter to Ass Assault with a  
deadly weapon

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: William W. Vernon. Assistant District Attorney  
see attach Pages 1-2-3-4 given briefly describe act's and grounds  
 Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

one to six grounds

Defendant #2: William W. Seisan. Director

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

see attach Pages 1-2-3-4 given briefly describe acts and grounds

Defendant #3: Glenda Rickman. Custodian of Records

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

she over looked "NCIC report"? are did she?

Defendant #4: Debra Gibb. TDCJ Records and Classification Assistant Director  
www.tdcj.texas.gov / 936-437-6484

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

she took her part in "fraud" "Conspiracy" + "Organized Crime"

Defendant #5: Circuit Judges Garza, Clement + Owen. Judicial Misconduct  
Judge Terry R. Means

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT. 356 Fed. Appx. 756 (2009) when the defendant has mis-directed opinion about law and has committed other material errors and has not corrected records. On opinion first Proscaph STATE officials altered more government records in CR:30536 is Simple Assault. then altered more then Parde discharge April-12-2003 alter to April-12-2004; For example, it was improper for a Court to use a nunc pro tunc order to add a deadly weapon findings was never contemplated. Plus altered Indictment CR:30536 Simple Assault. instead of Ass Assault w- a deadly weapon was used in CR:13919 to enhancement sent ence. CR:30536 in 2004 used same fake Indictment CR:30536 to falsely imprisonment 2004 to Dec-2005. "Code of Conduct"

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. By the NCIC record CR:30536 Simple Assault instead Texas has altered Ass Assault with a deadly weapon more then 4 member's STATE officials took part. STATE attorneys used fake Indictment CR:30536 in CR:13919 in transcript

VII. GENERAL BACKGROUND INFORMATION: cowboy 1979 Ferguson Unit Build tender TDCJ #283180

A. State, in complete form, all names you have ever used or been known by including any and all aliases. "Grinder 2004 Coffield Unit" nickname "Hawkeye" sence J.F.K shot

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

283180 "1979" / 904639 discharge 4-12-03 / 1445772 / 2044340 / now 2249871

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☐ YES ☐ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): \_\_\_\_\_

2. Case number: \_\_\_\_\_

3. Approximate date sanctions were imposed: \_\_\_\_\_

4. Have the sanctions been lifted or otherwise satisfied? ☐ YES ☐ NO



number: 09-10368 - Summary Calendar - Dec-18-2009

"Jurisdiction Appeal On" 356 Fed. Appx. 756 (2009)  
Freddie Monroe Pickett, "Plaintiff" - Appellant.

VS

STATE OF TEXAS "Government employee"  
"listed on Page one"

"explain" Petitioner won docket number 09-9767, "meaning"  
"civil lawsuit," will have to be refile at Supreme Court of Texas

To: Clerk Blake, A. Hawthorne, at the Supreme Court Buildings, 201 West  
14th Street, Room 106, Austin, Texas 78701

Website: [www.txcourts.gov/lca](http://www.txcourts.gov/lca)

The U.S. Court of Appeals for the Fifth Circuit denied damages  
"25 million" - 560 U.S. 930, 130 S. Ct. 3330 (mem)

176 L. Ed. 2d 1229, 78 USLW 3688; what won the docket #09-9767

the (4) four STATE officials altered more than Discharge Parole Certificate  
these gentlemen and ladies of Government employee Printed fake

Indictment CR:30536 249th Judicial District Court Johnson, Co. City  
Cleburne, Tx: CR:30536 Simple Assault, 355th Judicial District Court  
Hood, Co. City Granbury, Tx: on Prior Conviction used fake Indictment to

enhancement CR:30536 Simple Assault, STATE attorney in CR:13919 used  
fake indictment CR:30536 Agg Assault with deadly weapon: "Conspiracy"

Contact Court of Criminal Appeals: Clerk, Deana Williamson WR62-048-05

W13919-01 filed 11.07 on Hood County Justice Center?

Texas Dept of Public Safety // [www.dps.texas.gov](http://www.dps.texas.gov)

there's "No Agg Assault with a deadly weapon" CR:30536

J.M.P

"Plaintiff: Freddie Monroe Pickett

"42 USC 1983"

TDCJ #02249871

Fort Stockton Unit

1536 IH-10 East

Fort Stockton Texas, 79735

Jurisdiction Appeal on

Pickett v Texas 356 Fed. Appx 756 (2009)

VS

STATE OF Texas: 356 Fed. Appx. 756 (2009) - Defendants

David W. Vernon, Assistant District Attorney

William W. Seigson, Director:

Glenda Rickman, Custodian of Records

Debra Gibb Records and Classification of TDCJ-CID

"Professional Misconduct" and "Judicial Misconduct" on Circuit Judges  
Mr. Garza; Mr. Clement and Mr. Owen "Judges" Terry A. Means

I: STATEMENT OF CLAIM:

Jurisdiction Appeals on Pickett v Texas 356 Fed. Appx 756 (2009)

This is a civil appeal, action authorized by 42 U.S.C. Section 1983 to  
redress, cite 25 271 S.W. 3d 698 (Tex. Crim. App. 2008)

Constitutional Law 4554 (1)

To Protect a Criminal Plaintiffs rights to a fair trial on paper. The Due Process  
Clause of the Fourteenth Amendment requires the Prosecution to disclose  
exculpatory and impeachment of evidence to the defense that is material  
in CR:30536 Feb-23-1995 Johnson County, City Cleburne, Tx "Simple Assault"  
to either guilt or Punishment U.S.C.A. Const. Amend. 14  
NO #69-10368 Dec-18-2009: See Background: Plaintiff was falsely imprisoned  
2004 to Dec-2005 21 months:



Jurisdiction Appeal on: Pickett v Texas 356, Fed. APPX 756 (2009)

Grounds 1: This when before Judge Terry R. Mean's 2009 WL 875050

Circuit Judges: Before Gors. Clement & Owen. "Moe Jern & Curb"

"Code of Conduct" failure to correct records on Plaintiff when this 42 USC 1983 was filed. and it took more than (4) four STATE officials to falsely Imprisonment Freddie Monroe. Pickett TILTS# 144572: "Plaintiff"

was never Broke. On arr about Feb-23-1995. Plaintiff caught his com-law wife Wendy Bryant 713 Wilson street Burleson Tx. having sex with friend. "Plaintiff" was arrested for Simple Assault CR: 30536.

stood before Judge Blackwell 244th Judicial District Court Johnson, Co <sup>J.M.P</sup> city Cleburne, Tx. Plaintiff received 5 years deferred adjudicated Probation. Plaintiff was revoked, Dec-27-1999 / 4 years - 11 months 23 days Discharge sentence April-12-2003: "Plaintiff" had incident Dec-11-2003 see Johnson Co. Deputy Link report on that day. on 2004 January. was arrested on class B misdemeanor. "government document's" altered more than Parole certificate date: April-12-2003 altered to April-12-2004.

Judge Wayne. Birdwell - D. A. Dale. Hanna. Clerk. David. R. Glond altered sentence Simple Assault CR: 30536 to Ass Assault with Deadly weapon.

Under Color of STATE law, of rights secured by the Constitution of the United States. The Plaintiff has appealed Jurisdiction under 28 U.S.C. Section 1331 and 1343(a)(3). Plaintiff's seeks declaratory relief Pursuant to 28 U.S.C. Section 2201 and 2202. "Plaintiff's" claims for injunctive relief are authorized by 28 USC section 2283

Grounds(2) Jurisdiction Appeals: *Pickett v Texas* 356 Fed. Appx 756 (2009)

Jurisdiction on continued Appeals. Courts are constituted by authority and then cannot go beyond that Power delegated to them.

If they act beyond that authority, and the government employee did in 356 Fed. Appx. 756 (2009), and certainly in contravention of it, their their Judgements and orders are regarded as nullities; they are not voidable but simply void, and this even prior to reversal."

*Williamson v Berry*, 8 How. 945, 540 12 L. Ed. 1170, 1189 (1850)

Grounds(3) "Once "Jurisdiction Appeal" is challenged in 356 Fed. Appx. 756 - (2009) the court cannot Proceed when it clearly appears that the court lacks Jurisdiction, the circuit Judges of this court has no authority to reach merits, but rather should dismiss the action." *Melo v U.S* 505 F.2d 1026

Ground(4): This court must Prove on the records, all Jurisdiction facts related to the Jurisdiction asserted." *Jatana v Hopper*, 102 F.2d 188;

*Chicago v New York* 37 F. Supp. 150:

Grounds(4): On *Pickett v Texas* 356 Fed. Appx. 756 (2009) "Defendants" and Circuit Judges only told 1/2 half the Truth to District Judge Terry R. Means. "Plaintiff" was falsely Imprisonment 21 month 2004 to Dec-2005! and it took more then (4) STATE officials to achieve this "false imprisonment" "Plaintiff" or "Defense" of lack of Jurisdiction over the subject matter may be raised at any time, even on appeal. *Hill Top Developers v Holiday Pines Service Corp*, 478 So.2d. 368 (Fla 2nd DCA 1985)



of Criminal Appeals W13919-01 - WR 62-048-05 this Court to vacate, set aside, or correct sentence on *Pickett v Texas* 356 Fed. Appx. 756 "if the sentence was imposed in violation of Plaintiff's "Constitution Rights" or laws of the United States or these Courts was without Jurisdiction to impose such sentence with Jury trial. STATE attorney's misleading Jurors in CR:13919: "Criminal Law 5<sup>th</sup> 1992" for Plaintiff. "to succeed in showing a Brady violation", an individual must show that: (1) the evidence is favorable to the accused because it is exculpatory or impeachment; (2) the evidence was suppressed by the government employee or Person's acting on the government's behalf, either inadvertently or willfully and (3) the suppression of the evidence resulted in Prejudice, i.e. materiality. 3: In the Brady context, evidence is material to guilt or punishment only if there is a reasonable Probability that, had the evidence been disclosed to the defense, the result of the Proceedings would have been different in Jury trial CR:13919. "reasonable Probability" is a Probability sufficient to undermine confidence in the outcome!

Grounds(6) "Plaintiff" was inform by "Law Firm in Dallas, Tx (PLRA) The Prison Litigation Reform Act with held information from TDCJ Records & Classification Debra. Gibb. and after finding out Truth some stood on government employee altering CR:30536 Simple Assault she also took part in CR:30536 false imprisonment 2004 to Dec-2005. What took place "Organized Crime" "Fraud" "Conspiracy"

PRAYER FOR RELIEF: Wherefore, "Plaintiff" respectfully asks that the Court enter Judgement granting Appeal on Jurisdiction

A declaration that the acts and omissions described herein violated Plaintiff's rights under the Constitution and Laws of the United STATES. a Preliminary and Permanent injunction ordering "Defendants" David W. Vernon - William W. Seisan - Glenda Rickman: Rissi. Owens to correct Plaintiff criminal records to read as the "NCIC report" National Crime Information Center. Pickett has no ASSAULT with deadly weapon on CR:30536. Apparently these incompetent fool couldn't alter Freddie. Monroe. Pickett "NCIC records" Clerk Tonna. T. Hitt CR:13919 STATE exhibit #10 to Turn trial NCIC report X'ed out showing Simple Assault instead of Aggravated Assault with a deadly weapon: on Transcript CR:13919: also correct F. Supp. 2d, 2008 WL 4056157 need to correct F. Supp. 2d, 2009 WL 899769 need to correct F. Supp. 2d, 2009 WL 875050 need to correct 326 Fed. Appx 304, 2009 WL 1532040 need to correct Pickett v TOLSON-CIA F. Supp. 2010 WL 4955781 there 5 more 42-usc-1983 Defendants need to stop the "Conspiracy" "Fraud" "Organized crim" You Boyce2 and girls need to clean out your stock yards: Compensatory damages in the amount of 25 million each Defendants in above cases do 21 months in federal Prison This would enalued Moe. Jarrn and Curly Circuit Judges Garza, Clement + Owen. sobroke hearted over Terrn. R. Meen's ~~XXXX~~ Plaintiff Request Turn trial CR:13919 apologize to Turn and witness



Compensatory damages on 2004 Judge Wanner Birdwell 249th CR:30536  
 called TALS-CIA Warden on Coffield Unit on 2004. When straight to the  
 "Glasshouse" where with in 48 hours, had nose put on the right side  
 of my face. was kicked 5x with steel toe boots, "all with in 48 hours."  
 work at welding shop, in and out, stab 11x. raped in trustee showers.  
 between 2004 to Dec-2005 21 month, of falseln imprisonment. it took  
 way more then (4) four STATE officials to falseln altered CR:30536  
 Indictment charging two Courts of federal offence tampering with  
 government records were sufficient Records + Classification Debra Gibb  
 put her (2) two cent in with along with. Chairman of Classification and  
 Records Jara Burson: TALS Bryan, Collin, Debra Gibb [www.tdcj.texas.gov](http://www.tdcj.texas.gov)  
 talk about sorry people in government employee well new Pickett was  
 falseln imprisoned. beaten and rape" lost 9 to 11 teeth in 48 hours.  
 "Organized Crime" these government employee be relieved of duties!  
 with No benefits: STOP the Cover-up + Conspiracies against fellow  
 American. Am one". In ten thousand this has happened to in the lower court  
 system. STOP organizations like the STATE BAR OF TEXAS license trash like  
 to abuse the poor and mentaln retarded. after the physical and emotional  
 damase's beins "stabbed" "raped" it take years to overcome the abuse. from  
 the Great STATE OF TEXAS You've loved so much. STATE Bar of Texas  
 Teach and cover for government employee. They've become nothings but  
 Insurance <sup>J.M.P</sup> ~~complain~~ company for STATE ATTORNEYS + STATE officials  
 abuseins STATE OF TEXAS "Poor" and "Mentaln retarded"

"Plaintiff" Freddie Monroe Pickett a/k/a Freddie Monroe Pickett

Request for Jury Trial on Opinion Pickett vs STATE OF TEXAS

356 Fed. Appx. 756:2009 U.S. App. Lexis 27904

No. 09-10368 Summary Calendar

December -18-2009, Filed:

Any additional relief is to have TOLJ-CIA correct records on "Plaintiff" has no Aggravated Assault with a deadly weapon on NCIC records. TOLJ-CIA administration dose. as if id when to Court February 23-1995 CR:30536 Simple Assault.

Date: February 17th 2022

Respectfully submitted: Freddie Monroe Pickett

"Verification"

Freddie Monroe Pickett a/k/a: Freddie Monroe Pickett, Never when to 249th Judicial District Court, Johnson, County, City Cleburne, Tx on the 25th of December, 1999, the enhancement Paragraph one [Tx Pen Code. Sec. - 12.35 Indictment CR:30536, Convict that day: Agg Assault w/Deadly weapon. "PreJustice" Perjury by two Courts & Paise's additional relief

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information, and, as to those, I believe them to be true. I certify under penalty of Perjury that the foregoing is true and correct

From: Freddie Monroe Pickett TOLJ#02249871: Freddie Monroe Pickett

Fort Stockton Unit 1536 IH 10 East

Fort Stockton Texas, 79735

Page 7 7.m.P

. 12 7.m.P



and to the eight members of your Court's. "Code of Criminal Procedure"

I've been informed Art. 21.011 Filing of Charging Instrument or Related Document in Electronic Form: (b) if: Clerk Deana Williamson hasn't already (+) the clerk David R. Floyd of the 345th Judicial District Court is able to display or otherwise make the document CR:30536 Simple Assault Feb-23-1995 signed by Judge Blackwell in available online already in electronic form. Phone Photograph awaiting the "circled" to try to altered CR:30536. available to Public at no charge: Clerk David R. Floyd (ATC) access to borrow court transcripts CR:30536 and Indictment CR:30536 is Simple Assault. subject Pastore and Duty for Court Transcripts and Documents from Johnson Co. City Cleburn, Tx also "NAC" "Plaintiff" has review them online. What is Clerk Deana Williamson Problem's?

Art. 28.05 Quashing indictment in felony and both Court's will be held accountable for "Professional Misconduct" and "Judicial Misconduct" seeing "How STATE ATTORNEYS in CR:13919 and CR:30536 and STATE administration's mishandled CR:13919 and fake indictment CR:30536 in cases CR:13919 of felony be sustained, and the Honorable Judge Sharon Keller with release "Plaintiff" and to Proceedings after on Discharge from STATE attorney and STATE administration's for letting this go on. on on Art. 28.06 Discharge for Debt: The settlement claim will be with Mr. John Ken the 7 thousand 500<sup>00</sup> dollar's Bid to attorney Richard Hattox, he will be defendant on that day. Plaintiff is bench warrant to 355th Judicial District Court and released on are before January -31-2022, after review online them Johnson Co boy22 and the Hood Co boy22 don't have a les to stand on. Please contact Mr. Ken on "Plaintiff" release and the settlement on Pickett claim. Sincerely

Freddie Monroe Pickett Jan-27-2022

Clerk. Tonia Trumble. Hitt return herself Black & white. there was

NO cocaine: STATE witness: Deputy: Mr. Spencer, Batchelor testify to  
Jury and to witnesses there was no cocaine found on "Plaintiff"  
or Cathryn Thomas car "Kat" workins girl. see Page 39 of transcript  
CR:13919. the only item found was glass pipe. belong to "Kat". NO D.N.A  
of Plaintiff's in "Paraphernalia". No D.N.A testing in transcript CR:13919  
"NO Picture" no Photograph of Cocaine. when there was none to Photograph.  
first enhancement Paragraph [Tx Penal Code. sec. 12.35(b)] CR:30536  
STATE attorney's: Robert. Christain. Ryan. Sinclair: David. Tucker: was Bid to  
to convict 2 innocent men with bad criminal history: Defendant  
attorney Richard. Hattox told Plaintiff to sign "True" I paid Hattox  
7 thousand 500 dollars to have case dismissed. Grand Jurors  
were misled and lied to. "NCIC report" CR:30536 Simple Assault  
on Wendy Bryant. I see "Professional misconduct" and Judicial  
Misconduct with Judge R. Walton and New Judge Brian. T. Butkin  
Plaintiff Request be bench warrant back to Hood. Co City Granbury. Tx  
with all of Jury & witnesses. For the STATE of Texas to apologize  
to Jurors & witnesses. the 7500<sup>00</sup> be paid to "Plaintiff" not 3rd  
Party. all ran out of Plaintiff disability check. will seek damasc  
through Mult Millionair Law firm Mr. John. Ken. was witness  
at the 355th Judicial District. Request 21 month sentence to all Hood. Co  
in STATE Jail. Plus damasc's:

attach is two letter Motion's to  
Johnson. Co. City Cleburne. Tx

Freddie Monroe Pickens

Page 2 of 2

Jan-27-2022



"Cowtown" Fort Worth Division

on Page 16) ten Indictment number CR:13919 "filed" Sept-06-2017

355th Judicial District of Texas: showing false information in two Parts.

there was no cocaine. for Plaintiff to be convicted of, on Page 39 two (2)

Hood. Co Deputies testify No cocaine found on Plaintiff to be convicted.

Robert French "lied" to Grand Jury about test result. none in transcript

CR:13919. "PreJustice" Perjury by STATE ATTORNEY'S in <sup>7.m.p</sup> CR:13919

"Jurisdiction Appeal." Pickett v Texas 356, Fed. Appx 756 (2009) Plaintiff

Defendants + circuit Judge's failure to correct records. Plaintiff was

falsely imprisonment December 29 - 2004 to Dec 2005. on February. 23 - 1995:

Pickett took Simple Assault CR:30536. Differed Adjudicated Probation on Simple

Assault CR:30536 (S) five year Probation. "No Parole". Discharge April-12-2003:

249th Judicial District Court, Johnson. County, City. Cleburne, Tx: STATE

officials did more than altered "Parole discharge". then "STATE OFFICIALS"

altered crim CR:30536 Simple. Assault instead of Aggravated Assault

with deadly weapon: Pickett "has No Aggravated Assault charge on NCIC-

Report" as you can see on this document Enhancement Paragraph

[Texas Penal Code, Sec. 12.35(1)] STATE ATTORNEY'S in Hood. County used

fake Indictment CR:30536 to enhancement of sentencing. Misleading

the Grand Jurors for the County of Hood. STATE OF TEXAS.

On February-23-1995 under Judge Blackwell I Plead No contest

on Simple Assault CR:30536 on Wendy Bryant 713 Willson Street

Burleson. Tx: see Police report or better Transcript CR:30536 Feb-23-1995

INDICTMENT NO. **CR13919**

**FILED**

SEP 06 2017

355<sup>TH</sup> JUDICIAL DISTRICT OF TEXAS

*Donna Trumble Hitt*  
Donna Trumble Hitt  
District Clerk, Hood County, Texas

STATE OF TEXAS

OFFENSE: POSS. CS UNDER 1 GRAM

VS. FREDDIE MONROE PICKETT  
AKA: FREDDY MONROE PICKETT

DEGREE: HABITUAL

DATE OF BIRTH: 11-14-1956

SOC. SEC. NO. 453-02-7941

TRN NO. 9156875010

SID NO. 02165573

DATE FILED: 9-6-2017

STATE'S WITNESS: Spencer Batchelor

AMOUNT OF BAIL: \$5,000.00

STATE'S ATTORNEY: Robert Christian

.....  
IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The Grand Jurors for the County of Hood, State of Texas, duly selected, impaneled, sworn, charged, and organized as such at the July Term 2017, of the 355<sup>th</sup> Judicial District Court of Hood County, Texas, upon their oaths present in and to the Court that on or about the 14th day of June, 2017, and before the presentment of this indictment, in Hood County, Texas, FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, Defendant, did then and there intentionally or knowingly possess a controlled substance, namely Cocaine, of less than one gram including any adulterants and dilutants,

**ENHANCEMENT PARAGRAPH ONE [Texas Penal Code, Sec. 12.35(c)]**

and it is further presented in and to said Court that prior to the commission of the primary offense by the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the on the 29th day of December, 1999, in the 249th District Court of Johnson County, Texas, in cause number 30536, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was



convicted of a felony, to wit: Agg Asslt W/Deadly Weapon, and the said conviction became final prior to the commission of the primary offense,

**ENHANCEMENT PARAGRAPH TWO [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of the primary offense by the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 7th day of December, 2015, in the 396th District Court of Tarrant County, Texas, in cause number 1371913D, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was convicted of a felony, to wit: Failure To Comply With Sexual Offender Registration Requirements, and the said conviction became final prior to the commission of the primary offense,

**HABITUAL COUNT ONE [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of each of the offenses set out above in the enhancement count, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 28th day of June, 2007, in the 294th Judicial District Court of Van Zandt County, Texas, in cause number CR06-00333, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was convicted of a felony, to wit: Indecency W/Child Exposes, and the said conviction became final prior to the commission of each of the offenses set out above in the enhancement count,

**HABITUAL COUNT TWO [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of each of the offenses set out above in the enhancement count, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 28th day of June, 2007, in the 294th Judicial District Court of

Date: January-26-2022: To: Supervisor to access to Court 'ATC'

Case 4:22-cv-00154-O Document 1 Filed 02/28/22 Page 18 of 78 PageID 18

"Special Correspondence" Page 3 states, is in any mailing sent to or from  
"Special Correspondence" seeking Postage to Court Documents and  
Transcripts: on case CR:30536 February-23-1995

District Clerk David R. Glond,

249th Judicial District Court Justice Center, 2

North Main Street Cleburne, Tx. 76031 Johnson County

Inmate: Freddie Monroe Pickett TACJ#02249871 is "Indigent" seeking  
relief on Postage to and from: unknown weight of Documents: \_\_\_\_\_  
seeking transcript CR:30536 and Indictment CR:30536  
was simple Assault on Wends. Report at 713 Willson St Burleson, Tx  
on are about Feb-23-1995. also "Police report".

Request: To "ATC" "access to court" Supervisor at TACJ.

Inmate gives authorizes the TACJ to deduct the appropriate funds from  
his account for the purpose to receive and returning Court records:

Request is to borrow Transcript CR:30536 and Indictment CR:30536

also "Police Report" from District Clerk David R. Glond

Guinn Justice Center 204 South Buffalo Ave Ste 206

P.O. Box 495 Cleburne, Tx 76033-0495

Sincerely,  
Freddie Pickett



Date: January 27-2022: To: District Clerk David R. Hood

Case 4:22-cv-00154 Document 1 Filed 02/28/22 Page 19 of 78 PageID 19

355th Judicial District Court Justice Center CR:30536  
Justice Center 2, North Main Street, Cleburne, TX 76031;

Freddie Monroe Pickett TDCJ Prisoner #02249871. On or about February 23-1995  
stood before Honorable Judge Blackwell 5 year Probation Differred adjudi-  
cated Probation. "No attorney" "Special Correspondent" is this Court's Clerk.  
is any mailings sent to or from a "Special Correspondent"  
after 4 years - 11 months - 23 days. Probation officer Mike Hanna was to  
walk Pickett over to Judge Wayne Birdwell and release Pickett from  
differred adjudicated Probation 5 years on simple Assault CR:30536  
on Wendy Bryant 713 Willson St Berdison, Tx: "Prisoner" is seeking  
Transcript CR:30536 / Indictment CR:30536 / Police report  
Inmate may request to borrow transcripts CR:30536 and Indictment -  
CR:30536 and attach "Police report" of incident on or before Feb-23  
1995. No Response from (ATC) are above Clerk CR:30536

also to: Clerk Deana Williamson WWW.TXCOURTS.GOV/CCA  
RE: Pickett, Freddie Monroe, a/k/a Freddy Monroe Pickett vs STATE OF TEXAS  
WR: 62,048-05 - W13919-01 / CCA#: PD-0701-20 CCA# 02-K-00090-CR  
Trial Court# CR:13919 - W13919-1 used fake Indictment CR:30536 to  
enhancement of Jury sentencing. In the 355th Judicial District Court  
Hood County, City Granburn, TX CR:13919. also No response from the 11.07  
file Dec-2021 or mailed out of this Fort. Stockton Unit at TDCJ.

Date: January 27-2022: Sincerely: Freddie Monroe Pickett

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

January 24, 2022

Mr. Freddie Monroe Pickett  
#02249871  
Fort Stockton Unit  
1536 JH-10-East  
Fort Stockton, TX 79735

Dear Mr. Pickett,

I am returning your petition, complaint or other papers for the following reason(s):

This court has no jurisdiction to grant the requested relief without a formal appeal. You may file a notice of appeal in the U.S. District Court.

This is a court of limited jurisdiction. This means we can only act on cases which have been filed and decided in a U. S. District Court, or an agency within this circuit.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Monica R. Washington, Deputy Clerk  
504-310-7705

Enclosure(s)

. 20 f.m.p

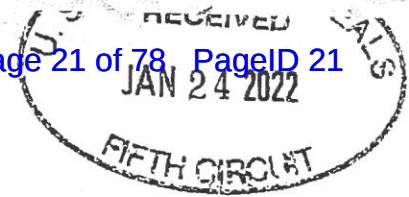


Date: January-17-2022 To: Clerk Jule W. Lance

Case 4:22-cv-00154 Document 1 Filed 02/28/22 Page 21 of 78 PageID 21

United State Court of Appeals

Fifth Circuit: May-24-2010



Petitioner file 28 USC-2254 was file in 2009 at TDCJ Jordan Unit  
docket number: 09-9767. In the handwritten 28 USC-2254 their was  
Placed "NCIC report" Pickett v Texas 560 U.S. 930 (2010)

Case 356 Fed. Appx. 756 was denied by the Fifth Circuit Court of appeals  
But: Clerk Deana Williamson is investigating "W13919-01-WR. 62,048-05"  
there a "NCIC record" inside 28 USC-2254 showing Simple Assault  
February-23-1995 CR:30536. This is on Trial Jury Case CR:13919  
Hood County. City Granbury, Tx

Re: Pickett, Freddie Monroe, a/k/a Freddy Monroe, Pickett

CCA #. PD. 0701-20 COA Case # 02-19-00090-CR

Trial Court: CR:13919: STATE attorney's and state official's used Indictment  
CR:30536 altered not stamped nor sealed: STATE attorney's used altered  
Indictment CR:30536 Ass Assault with deadly weapon: Feb-23-1995  
Transcript sign by Judge Blackwell: Freddie Monroe Pickett Pro-se  
Request: Fifth Circuit Court of appeals notify electronically Clerk Deana  
Williamson file record 28 USC-2254 so she may look at 28-usc-2254  
falsely imprisonment 21 months: 28 USC-2254 docket # 09-9767 will have  
to be refile Supreme Court "Civil" Buildings, 201 West 14th Street, Room 106  
Austin, Tx website [www.txcourts.gov/ccr](http://www.txcourts.gov/ccr). talk about "fuck up" Thank God  
for the STATE OF Texas: their STATE attorney's and Government employee  
fixen to court them millions: I saddle the house horse. John Key  
Jw Firm fixen to ride him. He's a mult millionaire I wonder why?

Freddie Monroe Pickett

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_  
DIVISION

Freddie Monroe Pickett  
TDCJ#02249871

Plaintiff's name and ID Number

Fort Stockton Unit 1536 JH-10 East

Fort Stockton Texas 75735

Place of Confinement



CASE NO. W13919-01 / WR 62,048-05  
(Clerk will assign the number)

APPLICATION TO PROCEED  
IN FORMA PAUPERIS

V.  
Freddie Monroe Pickett  
TDCJ#02249871

Fort Stockton Unit 1536 JH-10-East

Fort Stockton Texas 79735

Defendant's name and address

I, Freddie M. Pickett, declare, depose, and say I am the Plaintiff in the above entitled case. In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state because of my poverty, I am unable to pay in advance the filing fee for said proceedings or to give security for the filing fee. I believe I am entitled to relief.

I, further declare the responses which I have made to the questions and instructions below are true.

1. Have you received, within the last 12 months, any money from any of the following sources?

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| a. Business, profession or from self-employment?   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b. Rent payments, interest or dividends?           | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| d. Gifts or inheritances?                          | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| e. Family or friends?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| f. Any other sources?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If you answered YES to any of the questions above, describe each source of money and state the amount received from each during the past 12 months.

\_\_\_\_\_  
\_\_\_\_\_

2. Do you own cash, or do you have money in a checking or savings account, including any funds in prison accounts?

Yes ☐ No ☒

If you answered YES to any of the questions above, state the total value of the items owned.

\_\_\_\_\_  
\_\_\_\_\_



3. Do you own real estate, stocks, bonds, note, automobiles, or other valuable property, excluding ordinary household furnishings and clothing?

Yes ☐

No ☒

If you answered YES, describe the property and state its approximate value.

I understand a false statement in answer to any question in this affidavit will subject me to penalties for perjury. I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct (28 U.S.C. §1746).

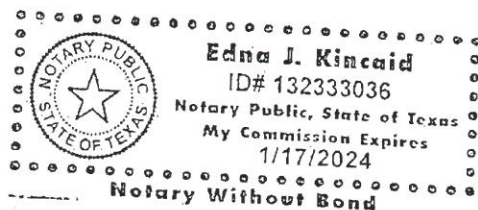
Signed this the 14 day of January, 2022.

Freddie Monroe Pickett 02249871  
Signature of Plaintiff ID Number

**YOU MUST ATTACH A CURRENT SIX (6) MONTH HISTORY OF YOUR INMATE TRUST ACCOUNT. YOU CAN ACQUIRE THE APPROPRIATE INMATE ACCOUNT CERTIFICATE FROM THE LAW LIBRARY AT YOUR PRISON UNIT.**

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 01/14/22  
 1NOK/MA00167 IN-FORMA-PAUPERIS DATA 14:36:12  
 TDCJ#: 02249871 SID#: 02165573 LOCATION: FORT STOCKTON INDIGENT DTE: 03/20/19  
 NAME: PICKETT, FREDDIE MONROE BEGINNING PERIOD: 07/01/21  
 PREVIOUS TDCJ NUMBERS: 00283180 00904639 01445772 02044340  
 CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 7.64  
 6MTH DEP: 9.34 6MTH AVG BAL: 0.00 6MTH AVG DEP: 1.56  
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS  
 12/21 1.10 1.68 09/21 0.00 0.00  
 11/21 0.00 0.00 08/21 1.70 1.70  
 10/21 5.96 5.96 07/21 0.00 0.00

STATE OF TEXAS COUNTY OF Pecos  
 ON THIS THE 14<sup>th</sup> DAY OF January 2022, I CERTIFY THAT THIS DOCUMENT IS A TRUE,  
 COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE  
 COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: *Edna J. Kincaid*  
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: \_\_\_\_\_ OR SID NUMBER: \_\_\_\_\_





**NOTICE**  
**OFFENDER NOTARY PUBLIC SERVICE**

Under both Federal law (28 U.S.C § 1746) and State law (V.T.C.A. Civil Practice & Remedies Code, §132.001-132.003), offenders incarcerated in Texas may use an unsworn declaration under penalty of perjury in place of a written declaration, verification, certification, oath, or affidavit sworn before a Notary Public.

In a request for Notary Public service, each offender must explain why an Unsworn Declaration is insufficient before Notary Public service will be provided.

\*\*\*\*\*

*An example of an unsworn declaration pursuant to State law is as follows:*

"My name is Freddie Monroe Pickett my date of birth is Nov-14-1956  
(First) (Middle) (Last)

and my inmate identifying number, is 02249571. I am presently incarcerated in

Fort Stockton Unit in Fort Stockton 1536 IH-10-East  
(Corrections unit name) (City)  
Paso Texas 79735  
(County) (State) (Zip Code) I declare under penalty of

perjury that the foregoing is true and correct.

Executed on the 14 day of January, 2022. Freddie Monroe Pickett  
(Offender Signature)

\*\*\*\*\*

*An example of an unsworn declaration pursuant to Federal law is as follows:*

I Freddie Monroe Pickett (insert offender name and TDCJ number), being presently incarcerated in \_\_\_\_\_ (insert TDCJ unit name), in Paso County, Texas; declare under penalty of perjury that the foregoing is true and correct.

Executed on the 14 day of January, 2022. Freddie Monroe Pickett  
(Offender Signature)

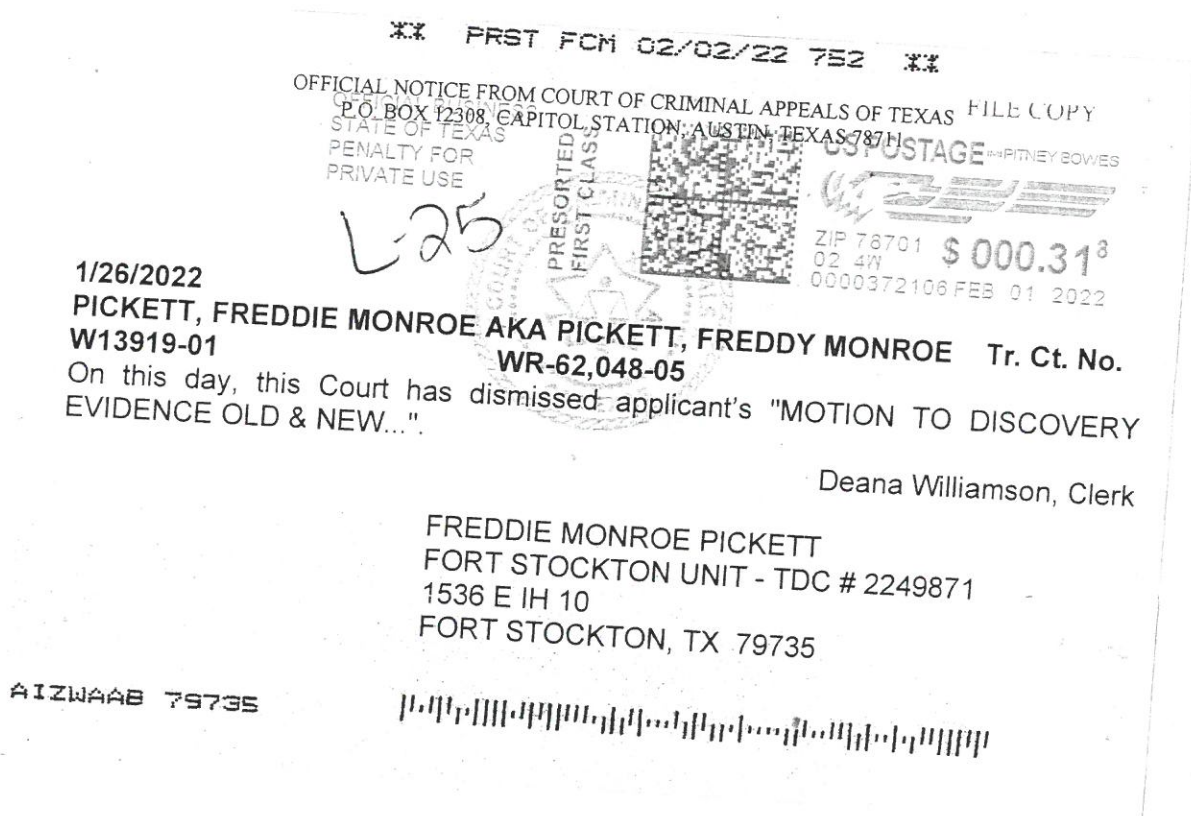
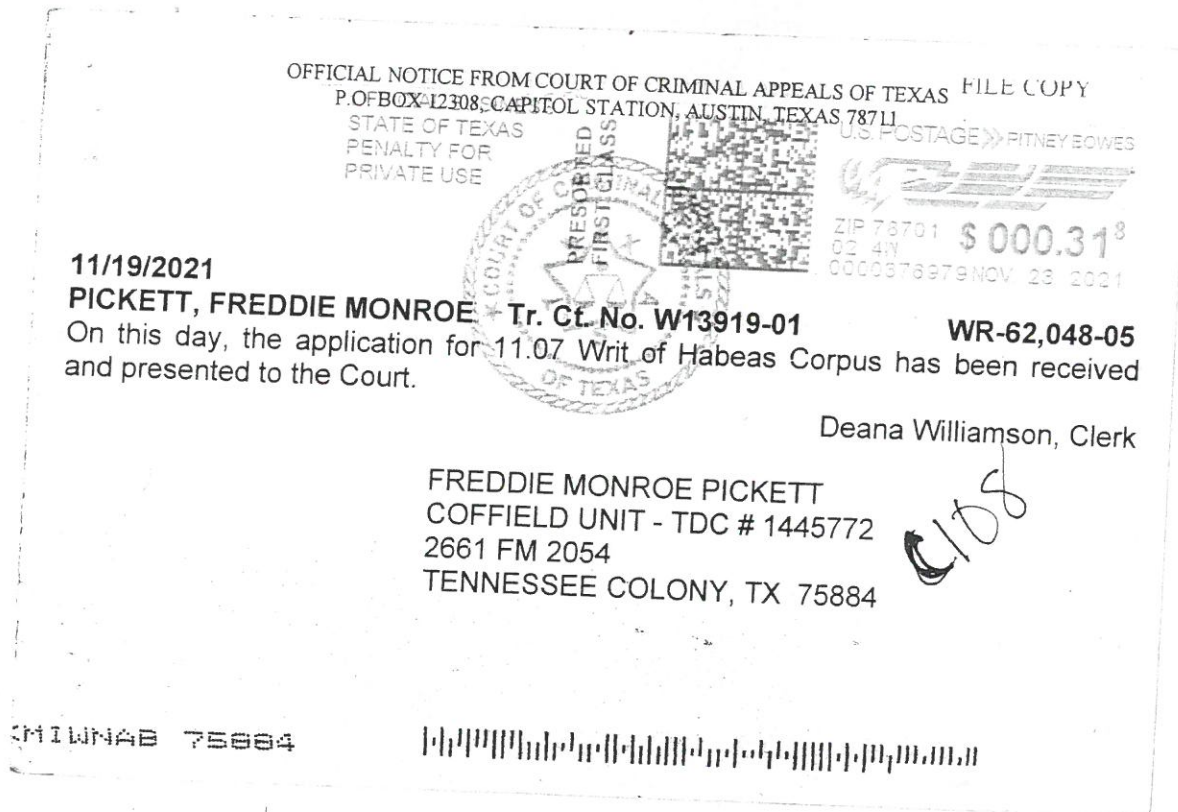
\*\*\*\*\*

**NOTICE**  
**NOTARY PUBLIC SERVICE DENIAL**

Regarding your request for Notary Public service, insufficient justification was provided necessitating Notary Public service. However, you may proceed with an Unsworn Declaration.

Edna J. Kincaid  
(Signature - Notary)

1/14/22  
(Date)







# STEP 1 OFFENDER GRIEVANCE FORM

Pickett, Freddie

Offender Name: Pickett, Freddie Monroe TDCJ # 02249871

Unit: Coffield Housing Assignment: P-1-C-108

Unit where incident occurred: Coffield Unit Law Library

Supervisor Mullinax - % Mostly - male % no name tag?

OFFICE USE ONLY	
Grievance #:	<u>2022017314</u>
Date Received:	<u>OCT 14 2021</u>
Date Due:	<u>11-23-21</u>
Grievance Code:	<u>707</u>
Investigator ID #:	<u>I2599</u>
Extension Date:	
Date Retd to Offender:	<u>OCT 25 2021</u>

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Notarize and Certified mail on 11.07 When? Oct-12-2021

What was their response? Pickett is indigent 700 certified mail, Not her money tax payer

What action was taken? she refused to Notarize 11.07. She did neither

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

see: Freddie Monroe, Pickett aka Freddy Monroe, Pickett vs STATE OF TEXAS  
 NO: 02-19-00090-02 APRIL-30-2020 on Clerk's Memorandum Opinion because  
 because Pickett filed a Pro-se response Pickett's counsels "with drawn" since  
 Hatcher's Unit Supervisor or % Marshall wouldn't Notarize Motion's  
 Petition's, Clerk refused response a unsworn Declaration was attached  
 to each Motion, when Notary sign + stamps Motion it became a document  
 and STATE In the United STATE of Amer- that has it own government  
 unsworn Declaration will not be honored, Same with Supervisor Mullinax  
 11.07 3(C) state in black + white to have 11.07 sent by Certified mail  
 or have it Notary, Because of the Corruption in STATE OF TEXAS law  
 for Example Freddy Monroe, Pickett TDCJ # 904639 was falsely -  
 imprisoned 2004-Nov-2005 Judge Wayne Birdwell had me sent  
 straight here: see 356 Fed. Appx. 754 I file Petition 28 usc-2254  
 for writ of certiorari to the Unit State Court of Appeals for the Fifth  
 Circuit Denied Pickett twenty five (25) million dollars, but Pickett won docket  
 #09-9767, has to be refiled at STATE OF TEXAS Supreme Court Civil  
 case Now. I have 10 case's against the STATE of Texas like Pickett v. Swanson  
 325 Fed. Appx. 304 (2009) West Law can not publication in books in the Fed-  
 Reporter, because STATE OF TEXAS "Perjury" their self in Black + white  
 NO: 08-10900 June-2-2009, talk about put your boots on, don't want to  
 step in any Cow poe - or Cow Poopoo, and Please contact B.D.P.S  
 office in Austin, Tx + Correction and clarification (NCIC Report)  
 Pickett has No Ass assault with a deadly weapon on NCIC report



11.07 was mail from Coffield Unit Law Library and signed By  
 Supervisor Mallinax She or her staff deliver to Coffield mail Room  
 to be mail out TO: District Clerk Tonna Turnible Hitt  
 355th Judicial District Court Hood. Justice Center  
 1200 West Pearl Street (on 10-13-2021)  
 Granbury Texas 76048  
 Texas Department for Public Safety state By mail TDCJ has the  
 same Computer at TDCJ Law Library, where the NCIC report is  
 Please Correct T.D.C.J Records 30536 is simple Assault  
 Thank You

**Action Requested to resolve your Complaint**

Would like certified letter from this mailroom that 11.07 was mail off Oct-13  
 2021 to above address for Supervisor to either (Notary) or Certified my mail

Offender Signature: Freddie Mann Pickett

Date: Oct-13-2021

**Grievance Response:**

An investigation has been conducted. The Law Library does not notarize 11.07 forms. Inmates may write or type unsworn declaration, which is accepted by the courts. Inmates incarcerated in the Texas Department of Criminal Justice (TDCJ) may use an unsworn declaration under penalty of perjury of a written declaration, verification, certification, oath, or affidavit sworn before a notary public. Inmates requesting notary public services must explain in their request why an unsworn declaration will not be sufficient for the document to proceed. Otherwise, notary public service will be denied.

No further action will be taken at this time

**Signature Authority:**

OS Warden DeLapp

Date: 10/22/21

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☒ 2. Submission in excess of 1 every 7 days. \*
- ☒ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # \_\_\_\_\_
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature: \_\_\_\_\_

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: \_\_\_\_\_

I-127 Back (Revised 11-2010)

**OFFICE USE ONLY**

Initial Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2<sup>nd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3<sup>rd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

Appendix F

Back side of step 1

7.m.p





## Texas Department of Criminal Justice

## STEP 2

OFFENDER  
GRIEVANCE FORM

## OFFICE USE ONLY

Grievance #: 2022017314  
 UGI Recd Date: 11-8-21  
 HQ Recd Date: NOV 15 2021  
 Date Due: 12-18-21  
 Grievance Code: 707  
 Investigator ID #: 10720  
 Extension Date: \_\_\_\_\_  
 Date Retd to Offender: \_\_\_\_\_

Offender Name: Freddie Monroe Pickett TDCJ # 02249871  
 Unit: Coffield N5 Housing Assignment: C-108  
 Unit where incident occurred: Coffield Law 2 ing under  
Supervisor Mullinax over the "NLI" part certified  
mail and refusings to Notarize N or Petition's

You must attach the completed Step 1 Grievance form which has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because...

at the bottom of step 1 Grievance form TDCJ Records + Classification has me listed CR:30536 out of Johnson Co, City Cleburn Tx 1995 Simple assault. why did TDCJ Records + Classification altered government documents to Agg assault with a deadly weapon on NCTC report "showing simple assault on CR:30536, read page 121 4 chapter Rules governing offenders access to the court thru Law Libraries, this is over Freddie Monroe Pickett criminal history (ATC) Supervisor Mullinax stating the need for the item as well as justification for a legal accommodation. Pickett has request by I-40 to Law Library on Coffield Supervisor Mullinax, stated we dont do that here? the Director Mr. Steven McCraw www.dps.texas.gov ask for 1325 since Im indigent, he refers back to TDCJ Law Library capability as Texas Dept of Public Safety. I would like two copies of criminal history to attach to Motion or Petition this violation of due process and equal protection under the fourteenth amendment of the United States and article one(1) section (3) three of Texas Constitution and this pro-long time in Court - statute of limitation is on 356 Fed. Appx 756 May-24-2010 #09-5767 Pickett was falsely imprisoned 2004 to Nov-2005 see: Pickett v Texas 354 Fed Appx 756 Dec-18-2009 where D.A altered discharge paperwork. I've ask our God to do all in viald the same way on earth + heaven. Cruel + unusual punishment is when Law Library files to photocopy requested paperwork to court, Pickett filed Pro-se #02-19-000 90-cv

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

since % Marshall would notary Motion's - Petition Pickett has sent

approximately 22 letter's. Not so. since TDCJ wouldn't Notary Motion's - Petition's because of incompetents like

not worth the paper it has been written on, then we have 9/10 Masls  
if she read some of the Law books on Rules and Resolutions  
Unsworn Declaration can not be sent in on 1/8 or 1/4 sheet of  
Paper. Please contact Tara Burson and or Debra Gibb and clean off record  
on the ASS assault with a deadly weapon, and apologise to the Courts  
and to Me. See! NCIC Report Sincerely

Offender Signature: Freddie Monroe Pichard Date: Nov-5-2021

Grievance Response:

Step 1 has addressed your complaint. Notary Public service is provided in accordance with ATC-060. The 11.07 court form is not required to be notarized. According to the 11.07 court form instructions, #9, "You must verify the application form by signing either the appropriate Unsworn Declaration or the 'Oath Before a Notary Public,' which are at the end of this form." No further action is warranted.

J. Pegoda, Program Administrator  
Access to Courts, Counsel and Public Officials

Signature Authority: Jeania Pegoda Date: December 13, 2022

Returned because: \*Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 6. Inappropriate. \*

CGO Staff Signature: \_\_\_\_\_

Back side of

Step 2

.28 7mP

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2 <sup>nd</sup> Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3 <sup>rd</sup> Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	



FREDDIE MONROE PICKETT, Plaintiff-Appellant, v. STATE OF TEXAS; DAVID W. VERNON, Assistant District Attorney; WILLIAM W. SEIGAN, Director; GLENDA RICKMAN, Custodian of Records; RISSI OWENS, Defendants-Appellees.

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

356 Fed. Appx. 756; 2009 U.S. App. LEXIS 27904

No. 09-10368 Summary Calendar

December 18, 2009, Filed

**Notice:**

PLEASE REFER TO FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1 GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.

**Editorial Information: Subsequent History**

US Supreme Court certiorari denied by *Pickett v. Tex.*, 2010 U.S. LEXIS 4227 (U.S., May 24, 2010)

**Editorial Information: Prior History**

{2009 U.S. App. LEXIS 1}

Appeal from the United States District Court for the Northern District of Texas. USDC No. 4:08-CV-00594. *Pickett v. Texas*, 2009 U.S. Dist. LEXIS 28053 (N.D. Tex., Apr. 2, 2009)

**Counsel** FREDDIE MONROE PICKETT (# 1445772), Plaintiff - Appellant, Pro se,  
Pampa, TX.

**Judges:** Before GARZA, CLEMENT, and OWEN, Circuit Judges.

**Opinion**

{356 Fed. Appx. 757} PER CURIAM: \*

Freddie Pickett, a Texas state prisoner, appeals the district court's dismissal of his complaint seeking relief under 42 U.S.C. § 1983. Pickett, proceeding pro se and *in forma pauperis*, sued the State of Texas and four officials for problems connected with his parole release date. Pickett alleges that the defendants conspired together to alter documents to change his parole discharge date from April 2003 to April 2004. He contends that as a result, he was falsely imprisoned for 21 months. The district court dismissed his complaint on statute-of-limitations grounds.

We review the district court's dismissal of a prisoner's complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim de novo. 1 To avoid dismissal for failure to state a claim, a plaintiff's {2009 U.S. App. LEXIS 2} complaint must plead enough facts to "state a claim to relief that is plausible on its face." 2 A district court may *sua sponte* dismiss a complaint under § 1915 if it is clear from the complaint that the claims are time-barred. 3

{356 Fed. Appx. 758} Because there is no federal statute of limitations for § 1983 claims, the forum state's personal-injury limitations period applies. 4 In Texas, the relevant limitations period is two years. 5 Federal law, however, governs when Pickett's claims accrued. 6 Under federal law, a § 1983

B05\_11CS

1

claim accrues "when a plaintiff knows or has reason to know of the injury which is the basis of the action." 7

The district court correctly determined that Pickett's claims are time-barred. Pickett filed his complaint on October 3, 2008, and thus his claims would be timely only if they accrued {2009 U.S. App. LEXIS 3} on or after October 3, 2006. Pickett alleges that his parole discharge date was altered in documents during a July 15, 2004 parole hearing and in a March 29, 2005 affidavit. The allegations provide no suggestion that Pickett did not know of the purported alterations until on or after October 3, 2006, and moreover, Pickett acknowledges that he contacted a clerk with the Texas Court of Criminal Appeals about the alleged alterations on August 5, 2005. In addition, Pickett has presented no plausible argument as to why the statute of limitations should have been tolled, and we have found no grounds for equitable tolling in the complaint.

Pickett's appeal is without arguable merit and is DISMISSED as frivolous. 8 The district court's dismissal of Pickett's complaint and this court's dismissal of this appeal count as two strikes for purposes of 28 U.S.C. § 1915(g). 9 Because Pickett has previously received two strikes as a result of this court's dismissal of his appeal in *Pickett v. Slawson*, 10 he is therefore barred from proceeding *in forma pauperis* in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical {2009 U.S. App. LEXIS 4} injury. 11

\* \* \*

APPEAL DISMISSED; 28 U.S.C. § 1915(g) BAR IMPOSED.

#### Footnotes

\*

Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

1

*Harris v. Hegmann*, 198 F.3d 153, 156 (5th Cir. 1999).

2

*Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949, 173 L. Ed. 2d 868 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007)) (internal quotation marks omitted).

3

*Moore v. McDonald*, 30 F.3d 616, 620 (5th Cir. 1994).

4

*Harris*, 198 F.3d at 156-57.

5

TEX. CIV. PRAC. & REM. CODE § 16.003(a).

6

*Harris*, 198 F.3d at 157.

7

*Id.* (internal quotation marks and citation omitted).

8



See 5TH CIR. R. 42.2; *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983).  
9

See *Adepegba v. Hammons*, 103 F.3d 383, 388 (5th Cir. 1996).  
10

326 Fed. App'x 204 (5th Cir. 2009).  
11

See 28 U.S.C. § 1915(g).

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): \_\_\_\_\_
2. Case number: \_\_\_\_\_
3. Approximate date warning was issued: \_\_\_\_\_

Executed on: 2-17-22  
DATE

Freddie M. Pickett  
(Signature of Plaintiff)

### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 17th day of Feb, 20 22.  
(Day) (month) (year)

Freddie M. Pickett  
(Signature of Plaintiff)

**WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.**



IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_  
DIVISION

Freddie Monroe Pickett

TDCS # 02249871

Plaintiff's name and ID Number

Fort Stockton 1536 IH 10 East

Fort Stockton Texas 79735

Place of Confinement

CASE NO. \_\_\_\_\_

(Clerk will assign the number)

V.

Freddie Monroe Pickett #02249871

Fort Stockton 1536 IH 10 East

Fort Stockton Texas 79735

Defendant's name and address

**APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

I, Freddie M. Pickett, declare, depose, and say I am the Plaintiff in the above entitled case. In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state because of my poverty, I am unable to pay in advance the filing fee for said proceedings or to give security for the filing fee. I believe I am entitled to relief.

I, further declare the responses which I have made to the questions and instructions below are true.

1. Have you received, within the last 12 months, any money from any of the following sources?

- |  |                              |  |
|--|------------------------------|--|
| a. Business, profession or from self-employment?   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| b. Rent payments, interest or dividends?           | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |
| d. Gifts or inheritances?                          | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |
| e. Family or friends?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |
| f. Any other sources?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |

If you answered **YES** to any of the questions above, describe each source of money and state the amount received from each during the past 12 months.

\_\_\_\_\_  
\_\_\_\_\_

2. Do you own cash, or do you have money in a checking or savings account, including any funds in prison accounts?

Yes ☐ No ☒

If you answered **YES** to any of the questions above, state the total value of the items owned.

\_\_\_\_\_  
\_\_\_\_\_

3. Do you own real estate, stocks, bonds, note, automobiles, or other valuable property, excluding ordinary household furnishings and clothing?

Yes ☐

No ☒

If you answered YES, describe the property and state its approximate value.

\_\_\_\_\_  
\_\_\_\_\_

I understand a false statement in answer to any question in this affidavit will subject me to penalties for perjury. I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct (28 U.S.C. §1746).

Signed this the 17th day of February, 2022.

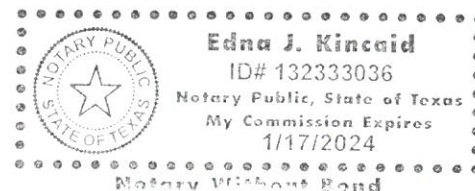
Freddie M. Pickett 2249871  
Signature of Plaintiff ID Number

**YOU MUST ATTACH A CURRENT SIX (6) MONTH HISTORY OF YOUR INMATE TRUST ACCOUNT. YOU CAN ACQUIRE THE APPROPRIATE INMATE ACCOUNT CERTIFICATE FROM THE LAW LIBRARY AT YOUR PRISON UNIT.**



CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 02/17/22  
1N0K/MA00167 IN-FORMA-PAUPERIS DATA 14:16:29  
TDCJ#: 02249871 SID#: 02165573 LOCATION: FORT STOCKTON INDIGENT DTE: 03/20/19  
NAME: PICKETT, FREDDIE MONROE BEGINNING PERIOD: 08/01/21  
PREVIOUS TDCJ NUMBERS: 00283180 00904639 01445772 02044340  
CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 4.58  
6MTH DEP: 12.24 6MTH AVG BAL: 0.00 6MTH AVG DEP: 2.04  
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS  
01/22 1.80 2.90 10/21 5.96 5.96  
12/21 1.10 1.68 09/21 0.00 0.00  
11/21 0.00 0.00 08/21 1.70 1.70

STATE OF TEXAS COUNTY OF Pecos  
ON THIS THE 17<sup>th</sup> DAY OF February, 2022, I CERTIFY THAT THIS DOCUMENT IS A TRUE,  
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE  
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: Edna J. Kincaid  
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: \_\_\_\_\_ OR SID NUMBER: \_\_\_\_\_







IN THE UNITED STATES DISTRICT COURT  
FOR THE Northern DISTRICT OF TEXAS  
DIVISION

Freddie Monroe Pickett #02249871  
Plaintiff's Name and ID Number  
Fort Stockton Unit 1536 JH-10-East  
Fort Stockton Texas 75735  
Place of Confinement

JURISDICTION APPEAL  
Pickett v Texas 356 Fed. Appx 756  
(2009)

CASE NO. \_\_\_\_\_  
(Clerk will assign the number)

v.

STATE OF TEXAS: 356 Fed. Appx. 756 (2009) Judge Terry A. Mann  
Defendant's Name and Address  
David W. Vernon, Assistant District Attorney / William W. Seigan, Director  
501 West 10th Street Room 310 "Cowtown" Fort Worth TX 76102-3676  
Defendant's Name and Address  
Glenda Rickman, Custodian of Records / TDCJ-CID Debra Gibb  
Circuit Judges Garza, Clement: Owen #09-10368 Dec 18-2009  
Defendant's Name and Address  
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

(1)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at you prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from you inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

#### CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

#### I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? YES NO
- B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
  1. Approximate date of filing lawsuit: \_\_\_\_\_
  2. Parties to previous lawsuit:  
Plaintiff(s) \_\_\_\_\_  
Defendant(s) \_\_\_\_\_
  3. Court: (If federal, name the district; if state, name the county.) \_\_\_\_\_
  4. Cause number: \_\_\_\_\_
  5. Name of judge to whom case was assigned: \_\_\_\_\_
  6. Disposition: (Was the case dismissed, appealed, still pending?) \_\_\_\_\_
  7. Approximate date of disposition: \_\_\_\_\_



- II. PLACE OF PRESENT CONFINEMENT: Fort Stockton N5 TDCJ
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:
- Have you exhausted all steps of the institutional grievance procedure? ✓ YES     NO
- Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

- IV. PARTIES TO THIS SUIT: now in Court of Criminal Appeals WR-63-048-05
- A. Name and address of plaintiff: will attach two to 42 use 1983 have exhausted 19 step 1 and step 2 grievance over NCIC report on CR: 30536 Simple Assault Feb-23-1995 was altered to Ass Assault with a deadly weapon used in CR: 13914
- B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: William W. Vernon, Assistant District Attorney: see attach Pgs 1-2-3-4 given briefly describe statement of Claim and Grounds

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

"Code of Conduct" "Judicial Misconduct" "Professional Misconduct"

Defendant #2: William W. Scison, Director: see attach Pgs 1-2-3-4 given briefly describe STATEMENT of Claim and Grounds

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

"Code of Conduct" "Judicial Misconduct" "Professional Misconduct"

Defendant #3: Glenda Rickman: Custodian of Records: she over looked? "NCIC report" are did she?

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

"Fraud" "Conspiracy" + "Organized Crime" "NCIC report"

Defendant #4: Debra Gibb: TDCJ Records + Classification: Assistant Director www.tdci.texas.gov/936-437-6484

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

"Fraud" "Conspiracy" + "Organized Crime" "NCIC report"

Defendant #5: Circuit Judge's Garza / Clement / Owen: Judicial Misconduct Judge Terry R. Morris "Code of Conduct" "Due Process" "Color"

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

illegally authorized civil sanction on Plaintiff-Appellants

(.3)

## V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT. 35 L.Fed. Appx. 756 (2009) when Defendant has misdirected

"Opinion" about law and has committed other material errors and has not corrected records. On Opinion first paragraph STATE officials altered more than government records in CR:30536 is Simple Assault, then altered more than Prole Discharge April-12-2003 alter to April-12-2004. For example it was improper for a Court to use a name none Pro tune order to add a deadly weapon findings was never contemplated. Plus altered Indictment CR:30536 Simple Assault instead of "Assault with a deadly weapon was used again in CR:13919 to enhancement sentence in Jury trial CR:30536 in 2004 used same fake Indictment to falsely imprisonment in 2004 to Dec 2005 was used in CR:13919 "Code of Conduct"

## VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. By the "NEED records": 30536 Simple Assault instead Texas has altered

Charge to Ass Assault w-a-deadly weapon more than (4) members STATE OFFICIALS took part state attorney used fake Indictment CR:30536 in CR:13919 in transcript

## VII. GENERAL BACKGROUND INFORMATION: Law 6041979 Ferguson Unit "Builden tender" TDCJ #283180

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

"Grinder 2004 Coffield unit" "nickname" Hawkeye since J.F.K was shot in Dallas Tx

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

283180 / 904639 Discharge 4-12-03 / 1445772 / 2044340 / NDS 2249871

## VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ☐ YES ☐ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): \_\_\_\_\_

2. Case number: \_\_\_\_\_

3. Approximate date sanctions were imposed: \_\_\_\_\_

4. Have the sanctions been lifted or otherwise satisfied? ☐ YES ☐ NO

(4)



number: 09-10368 - Summary Calendar - Dec-18-2009

"Jurisdiction Appeal On" 356 Fed. Appx. 756 (2009)  
Freddie Monroe Pickett, "Plaintiff" - Appellant.

VS

STATE OF TEXAS "government employee"  
"listed on page one"

"explain" Petitioner won docket number 09-9767, "meaning"  
civil lawsuit, will have to be refile at Supreme Court of Texas

To: Clerk Blake, A. Hawthorne, at the Supreme Court Building, 201 West  
14th Street, Room 106, Austin, Texas 78701

Website: [www.txcourts.gov/lca](http://www.txcourts.gov/lca)

The U.S. Court of Appeals for the Fifth Circuit denied damages  
"25 million" - 560 U.S. 930, 130 S.Ct. 3330 (mem)

176 L. Ed. 2d 1229, 78 USLW 3688: what won the docket #09-9767

the (4) four STATE officials altered more than Discharge Parole Certificate  
these gentlemen and ladies of government employee Printed fake

Indictment CR:30536 249th Judicial District Court Johnson, Co. City

Eleburne, Tx: CR:30536 Simple Assault, 355th Judicial District Court

Hood, Co. City Granbury, Tx: on Prior Conviction used fake Indictment to

enhancement CR:30536 Simple Assault, STATE attorney in CR:13919 used

fake indictment CR:30536 Ass Assault with deadly weapon: "Conspiracy"

Contact Court of Criminal Appeals: Clerk, Deana Williamson WR 62-048-05

W13919-01 filed 11.07 on Hood, County Justice Center?

Texas Dept of Public Safety // [www.dps.texas.gov](http://www.dps.texas.gov)

there is "No Ass Assault with a deadly weapon" CR:30536

J.M.P

"Plaintiff: Freddie Monroe Pickett" "42 USC 1983"

TDCJ #02245871

Fort Stockton Unit

Jurisdiction Appeal on  
Pickett v Texas 356 Fed. Appx 756 (2009)

1536 IH-10 East

Fort Stockton Texas, 79735

VS

STATE OF Texas: 356 Fed. Appx. 756 (2009) - Defendants

David W. Vernon, Assistant District Attorney

William W. Seison, Director:

Glenda Rickman, Custodian of Records

Debra Gibb Records and Classification of TDCJ-CID

"Professional Misconduct" and "Judicial Misconduct" on Circuit Judges  
Mr. Garza; Mr. Clement and Mr. Owen "Judges" Terry R. Mean's

I: STATEMENT OF CLAIM:

Jurisdiction Appeals on Pickett v Texas 356 Fed. Appx 756 (2009)

This is a civil appeal, action authorized by 42 U.S.C. Section 1983 to

redress. Cite 25 271 S.W. 3d 698 (Tex. Crim. App. 2008)

Constitutional Law 4554 (1)

To protect a criminal Plaintiffs rights to a fair trial on Paper, The Due Process  
Clause of the Fourteenth Amendment requires the Prosecution to disclose  
exculpatory and impeachment of evidence to the defence that is material  
in CR:30536 Feb-23-1995 Johnson County, City Cleburne, Tx "Simple Assault"  
to either guilt or Punishment U.S.C.A. Const. Amend. 14

NO#09-10368 Dec-18-2009: See Background: Plaintiff was falsely imprisoned  
2004 to Dec-2005 21 months:



Jurisdiction Appeal on: Pickett v Texas 356, Fed. APPX 756 (2009)

Grounds 1: This when before Judge Terr. R. Mean's 2009 WL 875050

Circuit Judges: Before Gors. Clement + Owen. Moe Linn + Curly

"Code of Conduct" failure to correct records on Plaintiff when this

42 USC 1983 was filed. and it took more then, (4) four STATE officials to

falsely Imprisonment Freddie Monroe. Pickett TILS# 1445722: "Plaintiff"

was never Broke. On arr about Feb-23-1995. Plaintiff caught his com-

low wife Wendy Bryant 713 Wilson street Burleson Tx. having sex

with friend. "Plaintiff" was arrested for Simple Assault CR: 30536.

stood before Judge Blackwell 244th Judicial District Court Johnson. Co

city Cleburne, Tx. Plaintiff received 5 years deferred adjudicated

Probation. Plaintiff was revoked, Dec-27-1999 / 4 years - 11 months 23 days

Discharge sentence April-12-2003: "Plaintiff" had incident Dec-11-2003

see Johnson Co. Deputy Link report on that day. on 2004 January.

was arrested on class B misdemeanor. "government document's" offered

more then Parole certificate date: April-12-2003 altered to April-12-2004.

Judge Wayne. Birdwell - D. A. Dale. Hanna. Clerk. David. R. Floyd altered

sentence Simple Assault CR: 30536 to Ass Assault with Deadly weapon.

Under Color of STATE law, of rights secured by the Constitu-

tion of the United States. The Plaintiff has appealed Jurisdiction under

28 U.S.C. Section 1331 and 1343(a)(3). Plaintiff's seeking declaratory

relief Pursuant to 28 U.S.C. Section 2201 and 2202. "Plaintiff's" claims

for injunctive relief are authorized by 28 USC section 2283

Grounds(2) Jurisdiction Appeals: *Pickett v Texas* 356 Fed. Appx 756 (2009)

Jurisdiction on continued Appeals. Courts are constituted by authority and then cannot go beyond that power delegated to them.

if they act beyond that authority, and the government employee did in 356 Fed. Appx. 756 (2009), and certainly in contravention of it, their their Judgements and orders are regarded as nullities; they are not voidable but simply void, and this even prior to reversal."

*Williamson v Berry*, 8 How. 945, 540 12 L. Ed. 1170, 1189 (1850)

Grounds(3) "Once "Jurisdiction Appeal" is challenged in 356 Fed. Appx. 756 - (2009) the court cannot proceed when it clearly appears that the court lacks Jurisdiction, the circuit Judges of this court has no authority to reach merits, but rather should dismiss the action." *Melo v U.S* 505 F.2d 1026

Ground(4): This court must Prove on the records, all Jurisdiction facts related to the Jurisdiction asserted." *Jatona v Hopper*, 102 F.2d 188;

*Chicago v New York* 37 F. Supp. 150;

Grounds(4): On *Pickett v Texas* 356 Fed. Appx. 756 (2009) "Defendants" and Circuit Judges only told 1/2 half the Truth to District Judge Terry R. Means. "Plaintiff" was falsely Imprisonment 21 month 2004 to Dec-2005! and it took more then (4) STATE officials to achieve this false imprisonment "Plaintiff" or "Defense of lack of Jurisdiction over the subject matter may be raised at any time, even on appeal. *Hill Top Developers v Holiday Pines Service Corp*, 478 So. 2d. 368 (Fla 2nd DCA 1985)



Grounds(5): on Writ 11.07 W13919-01 - WR 62-048-05 this court to vacate, set aside, or correct sentence on *Pickett v Texas* 356 Fed Appx. 756 "if the sentence was imposed in violation of Plaintiff's Constitution Rights or laws of the United States or these Courts was without Jurisdiction to impose such sentence with Jury trial. STATE attorney's misleading Jurors in CR:13919: Criminal Law § 1992 for Plaintiff." to succeed in showing a Brady violation, an individual must show that: (1) the evidence is favorable to the accused because it is exculpatory or impeachment; (2) the evidence was suppressed by the government employee or Person's acting on the government's behalf, either inadvertently or willfully and (3): the suppression of the evidence resulted in Prejudice, i.e. materiality 3; In the Brady context, evidence is material to guilt or punishment only if there is a reasonable Probability that, had the evidence been disclosed to the defense, the result of the Proceedings would have been different in Jury trial CR:13919. a "reasonable Probability" is a Probability sufficient to undermine confidence in the outcome!

Grounds(6) Plaintiff was inform by Law firm in Dallas, Tx (PLRA) The Prison Litigation Reform Act with held information from TDCJ Records & Classification Debra. Gibb, and after finding out Truth some stood on government employee altering CR:30536 Simple Assault she also took Part in CR:30536 false imprisonment 2004 to Dec-2005. What took Place "Organized Crime" "Fraud" "Conspiracy"

PRAYER FOR RELIEF: Wherefore, "Plaintiff" respectfully prays that this  
Case 4:22-cv-00154-O Document 1 Filed 02/28/22 Page 48 of 78 PageID 48  
Court enter Judgement granting Appeal on Jurisdiction

A declaration that the acts and omissions described herein violated  
Plaintiff's rights under the Constitution and Laws of the United  
STATES. a Preliminary and Permanent injunction ordering "Defendants"  
David W. Vernon - William W. Seisan - Glenda Rickman; Rissi. Owens  
to correct Plaintiff criminal records to read as the "NCIC report"  
National Crime Information Center. Pickett has no Ass Assault with deadly  
weapon on CR:30536. Apparently these incompetent fool couldn't alter  
Freddie. Monroe. Pickett "NCIC records" Clerk Tonna. T. Hitt CR:13919  
STATE exhibit #10 to Turn trial NCIC report X'd out showing Simple  
Assault instead of Aggravated Assault with a deadly weapon: on Transcript  
CR:13919: also correct F. Supp. 2d, 2008 WL 4056157  
need to correct F. Supp. 2d, 2009 WL 899769  
need to correct F. Supp. 2d, 2009 WL 875050  
need to correct 326 Fed. Appx 304, 2009 WL 1532040  
need to correct Pickett v TOLSON-CIA F. Supp. 2010 WL 4955781  
there 5 more 42-usc-1983 Defendants need to stop the "Conspiracy"  
"Fraud" "Organized crim" You Boyce2 and girls need to clean out your  
stock yards: Compensatory damages in the amount of 25 million  
each Defendants in above cases do 21 months in federal Prison  
This would enalued Moe. Jarrn and Curly Circuit Judges Garza, Clement +  
Owen. Sobroke hearted over Terrn. R. Meas's ~~MEAS~~  
Plaintiff Request Turn trial CR:13919 apologize to Jury and witness



Compensatory damages on 2004 Judge Wanda Birdwell 249th CR:30536  
 called TALS-CIA Warden on Coffield Unit on 2004. When straight to the  
 "Glasshouse" where within 48 hours, had nose put on the right side  
 of my face. was kicked 5x with steel toe boots, "all within 48 hours."  
 work at welding shop, in and out, stab 11x. raped in trustee showers.  
 between 2004 to Dec-2005 21 month, of falsely imprisonment. it took  
 more than (4) four STATE officials to falsely alter CR:30536  
 Indictment charging two Courts of federal offence tampering with  
 government records were sufficient Records + Classification Debra Gibb  
 put her (2) two cent in with along with. Chairman of Classification and  
 Records Jara Burson: TALS Bryan, Collin, Debra Gibb [www.tdcj.texas.gov](http://www.tdcj.texas.gov)  
 talk about some people in government employee well new Pickett was  
 "falsely imprisoned, beaten and rape" lost 9 to 11 teeth in 48 hours.  
 "Organized Crime" these government employee be relieved of duties!  
 with No benefits: stop the cover-up + conspiracies against fellow  
 American, Am one. In ten thousand this has happened to in the lower court  
 system. stop organizations like the STATE BAR OF TEXAS license trash like  
 to abuse the poor and mentally retarded. after the physical and emotional  
 damage's being "stabbed" "raped" it take years to overcome the abuse. from  
 the Great STATE OF TEXAS You've loved so much. STATE Bar of TEXAS  
 Teach and cover for government employee. They've become nothing but  
 Insurance <sup>J.M.P.</sup> ~~Company~~ Company for STATE ATTORNEYS + STATE officials  
 abuse in STATE OF TEXAS "Poor" and "mentally retarded"

"Plaintiff" Freddie Monroe Pickett a/k/a Freddy Monroe Pickett  
Request for Jury Trial on Opinion Pickett vs STATE OF TEXAS

356 Fed. Appx. 756:2009 U.S. App. Lexis 27904

No. 09-10368 Summary Calendar

December -18-2009, Filed:

Am additional relief is to have TOLJ-CIA correct Record's on  
"Plaintiff" has no Assausted Assault with a deadly weapon on NCIC  
records: TOLJ-CIA administration dose. as if id when to Court  
February 23-1995 CR:30536 Simple Assault:

Date: February 17th 2022

Respectfully submitted: Freddie Monroe Pickett

"Verification"

Freddie Monroe Pickett a/k/a: Freddy Monroe Pickett, Never when to 249th  
Judicial District Court, Johnson County, City Cleburne, Tx on the 25th  
of December, 1999, the enhancement Paragraph one [Tx Pen Code. sec. -  
12:35 Indictment CR:30536. Convict that day: Ass Assault w/Deadly  
weapon. "PreJustice" Persum by two Courts & Pese's additional relief

I have read the foregoing complaint and hereby verify that the  
matter's alleged therein are true, except as to matter's alleged on infor-  
mation, and, as to those, I believe them to be true. I certify under  
Penalty of Perjury that the foregoing is True and correct

From: Freddie Monroe Pickett TOLJ#02249871: Freddie Monroe Pickett

Fort Stockton Unit 1536 IH 10 East

Fort Stockton Texas. 79735



and to the (8) eight members of Your Court's "Code of Criminal Procedure"

I've been informed Art. 21.011 Filings of Chargings Instrument or Related Document in Electronic Form: (b) if Clerk Deana Williamson hasn't already (4) the clerk David R. Lloyd of the 349th Judicial District Court is able to display or otherwise make the document CR:30536 Simple Assault Feb-23-1995 signed by Judge Blackwell in available online already in electronic form. Phone photographs awaiting the "circled" to try to altered CR:30536 available to Public at no charge; Clerk David R. Lloyd (ATC) access to borrow court transcripts CR:30536 and Indictment CR:30536 is Simple Assault. subject "Pastore and Duty for Court Transcripts and Documents from Johnson Co. City Cleburne Tx also "NEIC" "Plaintiff" has reviewed them online. What is Clerk Deana Williamson Problem's?

Art. 28.05 Quashing indictment in felony" and both Court's will be held accountable for "Professional Misconduct" and "Judicial Misconduct" seeing "How STATE ATTORNEYS in CR:13919 and CR:30536 and STATE administration's mishandled CR:13919 and fake indictment CR:30536 in cases CR:13919 of felony be sustained, and the Honorable Judge Sharon Keller with release "Plaintiff" and to Proceedings after on Discharge from STATE ATTORNEYS and STATE administration's for letting this go on on Art. 28.06 Discharge for Deba: The Settlement claim will be with Mr. John Ken the 7 thousand 500<sup>00</sup> dollars Bid to attorney Richard Hottel, he will be defendant on that day. Plaintiff's bench warrant to 355th Judicial District Court and released on are before January -31-2022 after review online them Johnson Co boy22 and the Hood Co boy22 don't have a leg to stand on. Please contact Mr. Ken on Plaintiff release and the settlement on Pickett claim. Sincerely

Freddie Monroe Pickett Jan-27-2022

NO COCAINE: STATE witness: Deputy Mr. Spencer, Batchelor testify to  
Jury and to witnesses there was no cocaine found on "Plaintiff"  
or Cathryn Thomas car "Kat" working girl. see Page 39 of transcript  
CR:13919. the only item found was glass pipe, belong to "Kat". NO D.N.A  
of Plaintiff's in "Paraphernalia". No D.N.A testing in transcript CR:13919  
"no picture" no photograph of Cocaine. when there was none to photograph.  
first enhancement paragraph [Tx Penal Code, sec. 12.35(k)] CR:30536  
STATE attorney's: Robert. Christain. Ron. Sinclair: David. Tucker: was bid to  
to convict 2 innocent men with bad criminal history: Defendant  
attorney Richard. Hottel told Plaintiff to sign "True" I paid Hottel  
7 thousand 500 dollars to have case dismissed. Grand Jurors  
were misled and lied to. "NCIC report" CR:30536 Simple Assault  
on Wendy Bryant. I see "Professional misconduct" and Judicial  
Misconduct with Judge R. Walton and New Judge Brian. T. Butkin  
Plaintiff Request be bench warrant back to Hood. Co City Granbury. Tx  
with all of Jury & witnesses. for the STATE of Texas to apologize  
to Jurors & witnesses. the 7500<sup>00</sup> be paid to "Plaintiff" not 3rd  
Party. all ran out of Plaintiff disability check. will seek damage  
through Mult Millionaire Law Firm Mr. John. Ken. was witness  
at the 355th Judicial District. Request 21 month sentence to all Hood. Co  
in STATE Jail. Plus damages:  
attach is two letter Motion's to  
Johnson. Co. City Cleburne. Tx

Freddie Monroe Pickett

Page 2 of 2

Jan-27-2022



"Cowtown" Fort Worth Division

on Base(10)ten Indictment number CR:13919 "Filed" Sept-06-2017

355th Judicial District of Texas: showing false information in two parts.

there was no cocaine. for Plaintiff to be convicted of, on Page 39 two(2)

Hood, Co Deputies testify No cocaine found on Plaintiff to be convicted.

Robert French "lied" to Grand Jurors about test result. none in transcript

CR:13919. "Prejustice" Return by state attorney's in ~~CR:13919~~ <sup>CR:13919</sup>

"Jurisdiction Appeal" Pickett v Texas 356 Fed. Appx 756 (2009) Plaintiff

Defendants + circuit Judge's failure to correct records. Plaintiff was

falsely imprisonment December 29 - 2004 to Dec 2005; on February 23 - 1995:

Pickett took Simple Assault CR:30536 <sup>Fake</sup> ~~CR:30536~~ <sup>CR:30536</sup> ~~CR:30536~~ <sup>CR:30536</sup> Probation on Simple

Assault CR:30536(15) five year Probation. "No Parole". Discharge April-12-2003:

249th Judicial District Court, Johnson, County, City, Abilene, TX STATE

officials did more then altered "Parole discharge", then "STATE OFFICIALS"

altered crim CR:30536 Simple. Assault instead of Aggravated Assault

with deadly weapon: "Pickett" has No Aggravated Assault charge on "NCIC-

Report" as you can see on this document Enhancement Paragraph

TX Penal Code, Sec. 12.35(d) [ STATE attorney's in Hood, County used

fake Indictment CR:30536 to enhancement of sentencing. Misleading

the grand jurors for the county of Hood, STATE OF TEXAS.

On February-23-1995 under Judge Blackwell I Plead No contest

on Simple Assault CR:30536 on Wendy Bryant 713 Willson street

Burleson, TX: see Police report or better Transcript CR:30536 Feb-23-1995

INDICTMENT NO. **CR13919**

**FILED**

SEP 06 2017

355<sup>TH</sup> JUDICIAL DISTRICT OF TEXAS

*Donna Trumble Hitt*  
Donna Trumble Hitt  
District Clerk, Hood County, Texas

STATE OF TEXAS

OFFENSE: POSS. CS UNDER 1 GRAM

VS. FREDDIE MONROE PICKETT  
AKA: FREDDY MONROE PICKETT

DEGREE: HABITUAL

DATE OF BIRTH: 11-14-1956

SOC. SEC. NO. 453-02-7941

TRN NO. 9156875010

SID NO. 02165573

DATE FILED: 9-6-2017

STATE'S WITNESS: Spencer Batchelor

AMOUNT OF BAIL: \$5,000.00

STATE'S ATTORNEY: Robert Christian

.....  
IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The Grand Jurors for the County of Hood, State of Texas, duly selected, impaneled, sworn, charged, and organized as such at the July Term 2017, of the 355<sup>th</sup> Judicial District Court of Hood County, Texas, upon their oaths present in and to the Court that on or about the 14th day of June, 2017, and before the presentment of this indictment, in Hood County, Texas, FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, Defendant, did then and there intentionally or knowingly possess a controlled substance, namely Cocaine, of less than one gram including any adulterants and dilutants,

**ENHANCEMENT PARAGRAPH ONE [Texas Penal Code, Sec. 12.35(c)]**

and it is further presented in and to said Court that prior to the commission of the primary offense by the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the on the 29th day of December, 1999, in the 249th District Court of Johnson County, Texas, in cause number 30536, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was



convicted of a felony, to wit: Agg Asslt W/Deadly Weapon, and the said conviction became final prior to the commission of the primary offense,

**ENHANCEMENT PARAGRAPH TWO [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of the primary offense by the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 7th day of December, 2015, in the 396th District Court of Tarrant County, Texas, in cause number 1371913D, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was convicted of a felony, to wit: Failure To Comply With Sexual Offender Registration Requirements, and the said conviction became final prior to the commission of the primary offense,

**HABITUAL COUNT ONE [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of each of the offenses set out above in the enhancement count, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 28th day of June, 2007, in the 294th Judicial District Court of Van Zandt County, Texas, in cause number CR06-00333, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT was convicted of a felony, to wit: Indecency W/Child Exposes, and the said conviction became final prior to the commission of each of the offenses set out above in the enhancement count,

**HABITUAL COUNT TWO [Texas Penal Code, Sec. 12.42(d)]**

and it is further presented in and to said Court that prior to the commission of each of the offenses set out above in the enhancement count, the said FREDDIE MONROE PICKETT, AKA: FREDDY MONROE PICKETT, on the 28th day of June, 2007, in the 294th Judicial District Court of

"Special Correspondence" Page 3 states: is in any mailing sent to or from  
"Special Correspondence" seeking Postage to Court Documents and  
Transcripts: on case CR:30536 February-23-1995

District Clerk David R. Lloyd,  
249th Judicial District Court Justice Center, 2

North Main Street Cleburne, Tx. 76031 Johnson County  
Inmate: Freddie Monroe Pickett TAJ#02249871 is "Indigent" seeking  
relief on Postage to and from: unknown weight of Documents:       ?  
seeking transcript CR:30536 and Indictment CR:30536  
was simple Assault on Wm. Bryant at 713 Willson St Burleson, Tx  
on are about Feb-23-1995, also "Police report".

Request: To "ATC" "Access to Court" Supervisor at TAJ.

Inmate gives authorizes the TAJ to deduct the appropriate funds from  
his account for the purpose to receive and returning Court records:

Request is to borrow Transcript CR:30536 and Indictment CR:30536  
also "Police Report" from District Clerk David R. Lloyd

Guinn Justice Center 204 South Buffalo Ave Ste 206  
P.O. Box 495 Cleburne, Tx 76033-0495

Sincerely,  
Freddie Pickett



Date: January 27-2022! To: District Clerk David R. Floyd

Case 4:22-cv-00154-O Document 1 Filed 02/28/22 Page 57 of 78 PageID 57

35th Judicial District Court Justice Center CR:30536  
Justice Center 2, North Main Street, Cleburne, TX 76031

Freddie Monroe Pickett TOLJ. Prisoner #02249871. On or about February 23-1995  
stood before Honorable Judge Blackwell 5 year Probation Differred adjudi-  
cated Probation. "No attorney" "Special Correspondent" is this Court's Clerk.  
is any mailings sent to or from a "Special Correspondent"  
after 4 years - 11 months - 23 days. Probation officer Mike. Hanna. was to  
walk Pickett over to Judge Wayne Birdwell and release Pickett from  
differred adjudicated Probation 5 years on simple Assault CR:30536  
on Wendy Bryant 713 Willson St Berksan, Tx. "Prisoner" is seeking  
Transcript CR:30536 / Indictment CR:30536 / Police report  
Inmate may request to borrow transcripts CR:30536 and Indictment -  
CR:30536 and attach "Police report" of incident on or before Feb-23  
1995. No Response from (ATC) are above Clerk CR:30536

also to: Clerk. Deana Williamson WWW.TXCOURTS.GOV/CCA  
RE: Pickett, Freddie Monroe. aka Freddie Monroe Pickett vs STATE OF TEXAS  
WR. 62,048-05 - W13919-01 / CCA#. PD-0701-20 CCA# 02-K-00090-CR  
Trial Court # CR:13919 - W13919-1 used fake Indictment CR:30536 to  
enhancement of Jury sentencing. In the 355th Judicial District Court  
Hood County, City Granburn, TX CR:13919. also No response from the 11.07  
file Dec-2021 or mailed out of this Fort. Stockton Unit at TOLJ.

Date: January 27-2022! Sincerely: Freddie Monroe Pickett

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

January 24, 2022

Mr. Freddie Monroe Pickett  
#02249871  
Fort Stockton Unit  
1536 JH-10-East  
Fort Stockton, TX 79735

Dear Mr. Pickett,

I am returning your petition, complaint or other papers for the following reason(s):

This court has no jurisdiction to grant the requested relief without a formal appeal. You may file a notice of appeal in the U.S. District Court.

This is a court of limited jurisdiction. This means we can only act on cases which have been filed and decided in a U. S. District Court, or an agency within this circuit.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Monica R. Washington, Deputy Clerk  
504-310-7705

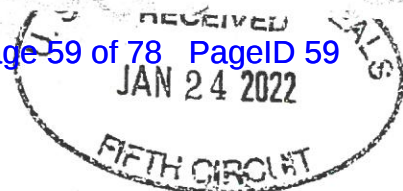
Enclosure(s)

(.20) f.m.p



Date: January-17-2022 To: Clerk Jule W. Lance  
Case 4:22-cv-00154 Document 1 Filed 02/28/22 Page 59 of 78 PageID 59  
United State Court of Appeals

Fifth Circuit: May-24-2010



Petitioner file 28 USC-2254 was file in 2009 at TDCJ Jordan Unit  
docket number 09-9767. In the handwritten 28 USC-2254 their was  
Placed "NCIC report" Pickett v Texas 560 U.S. 930 (2010)

Case 356 Fed. Appx. 756 was denied by the Fifth Circuit Court of appeals  
But: Clerk Deana Williamson is investisaten "W13919-01-WR.62,048-05"  
there a "NCIC record" inside 28 USC-2254 showing Simple Assault  
February-23-1995 CR:30536. This is on Trial Jury Case CR:13919  
Hood County. City Granburn, Tx

Re: Pickett, Freddie Monroe. 21K/a Freddie Monroe, Pickett

CCA #. PD. 0701-20 COA Case # 02-19-00090-CR

Trial Court: CR:13919: STATE attorney's and state official's used Indictment  
CR:30536 altered not stamped nor sealed: STATE attorney's used altered  
Indictment CR:30536 Ass Assault with deadly weapon: Feb-23-1995  
transcript sign by Judge Blackwell: Freddie Monroe, Pickett Pro-se  
Request: Fifth Circuit Court of appeals notify electronically Clerk, Deana  
Williamson file record 28 USC-2254 so she may look at 28-usc-2254  
falsely imprisonment 21 months: 28 USC-2254 docket # 09-9767 will have  
to be refile Supreme Court "Civil" Buildings, 201 West 14th Street, Room, 106  
Austin, Tx website [www.txcourts.gov/ccr](http://www.txcourts.gov/ccr). talk about "fuck up" Thank God  
for the STATE OF Texas: their STATE attorney's and Government employee  
fixen to count them millions: I saddle the house<sup>7.m.p</sup> horse. John. Key  
In firm fixen to ride him. He's a mult millionaire I wonder why?

Freddie Monroe Pickett

.21 7.m.p

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_  
DIVISION

Freddie Monroe Pickett

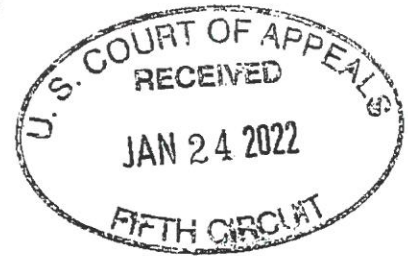
TDCJ#02249871

Plaintiff's name and ID Number

Fort Stockton Unit 1536 JH-10 East

Fort Stockton Texas 75235

Place of Confinement



CASE NO. W13919-01 / W.R. 62, 048-05  
(Clerk will assign the number)

V.  
Freddie Monroe Pickett

TDCJ#02249871

Fort Stockton Unit 1536 JH-10-East

Fort Stockton Texas 75235

Defendant's name and address

APPLICATION TO PROCEED  
IN FORMA PAUPERIS

I, Freddie M. Pickett, declare, depose, and say I am the Plaintiff in the above entitled case. In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state because of my poverty, I am unable to pay in advance the filing fee for said proceedings or to give security for the filing fee. I believe I am entitled to relief.

I, further declare the responses which I have made to the questions and instructions below are true.

1. Have you received, within the last 12 months, any money from any of the following sources?

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| a. Business, profession or from self-employment?   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b. Rent payments, interest or dividends?           | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| d. Gifts or inheritances?                          | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| e. Family or friends?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| f. Any other sources?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If you answered YES to any of the questions above, describe each source of money and state the amount received from each during the past 12 months.

\_\_\_\_\_  
\_\_\_\_\_

2. Do you own cash, or do you have money in a checking or savings account, including any funds in prison accounts?

Yes ☐ No ☒

If you answered YES to any of the questions above, state the total value of the items owned.

\_\_\_\_\_  
\_\_\_\_\_



3. Do you own real estate, stocks, bonds, note, automobiles, or other valuable property, excluding ordinary household furnishings and clothing?

Yes ☐

No ☒

If you answered YES, describe the property and state its approximate value.

I understand a false statement in answer to any question in this affidavit will subject me to penalties for perjury. I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct (28 U.S.C. §1746).

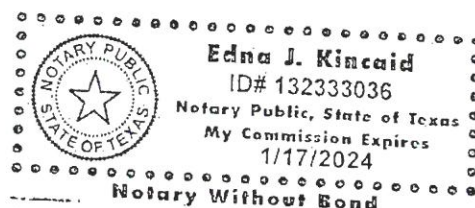
Signed this the 14 day of January, 2022.

Freddie Monroe Pickett 02249871  
Signature of Plaintiff ID Number

**YOU MUST ATTACH A CURRENT SIX (6) MONTH HISTORY OF YOUR INMATE TRUST ACCOUNT. YOU CAN ACQUIRE THE APPROPRIATE INMATE ACCOUNT CERTIFICATE FROM THE LAW LIBRARY AT YOUR PRISON UNIT.**

CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 01/14/22  
 1N0K/MA00167 IN-FORMA-PAUPERIS DATA 14:36:12  
 TDCJ#: 02249871 SID#: 02165573 LOCATION: FORT STOCKTON INDIGENT DTE: 03/20/19  
 NAME: PICKETT, FREDDIE MONROE BEGINNING PERIOD: 07/01/21  
 PREVIOUS TDCJ NUMBERS: 00283180 00904639 01445772 02044340  
 CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 7.64  
 6MTH DEP: 9.34 6MTH AVG BAL: 0.00 6MTH AVG DEP: 1.56  
 MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS  
 12/21 1.10 1.68 09/21 0.00 0.00  
 11/21 0.00 0.00 08/21 1.70 1.70  
 10/21 5.96 5.96 07/21 0.00 0.00

STATE OF TEXAS COUNTY OF Pecos  
 ON THIS THE 14th DAY OF January 2022, I CERTIFY THAT THIS DOCUMENT IS A TRUE,  
 COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE  
 COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: Edna J. Kincaid  
 PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: \_\_\_\_\_ OR SID NUMBER: \_\_\_\_\_



. 24 J.M.P



**NOTICE****OFFENDER NOTARY PUBLIC SERVICE**

Under both Federal law (28 U.S.C § 1746) and State law (V.T.C.A. Civil Practice & Remedies Code, §132.001-132.003), offenders incarcerated in Texas may use an unsworn declaration under penalty of perjury in place of a written declaration, verification, certification, oath, or affidavit sworn before a Notary Public.

In a request for Notary Public service, each offender must explain why an Unsworn Declaration is insufficient before Notary Public service will be provided.

\*\*\*\*\*

*An example of an unsworn declaration pursuant to State law is as follows:*

"My name is Freddie Monroe Pickett my date of birth is Nov-14-1956  
(First) (Middle) (Last)

and my inmate identifying number, is 0224571. I am presently incarcerated in

Ft Stockton Unit in Ft-Stockton 1536 IH-10-East  
(Corrections unit name) (City)

Paso Texas 79735 I declare under penalty of  
(County) (State) (Zip Code)

perjury that the foregoing is true and correct.

Executed on the 14 day of January, 2022. Freddie Monroe Pickett  
(Offender Signature)

\*\*\*\*\*

*An example of an unsworn declaration pursuant to Federal law is as follows:*

I Freddie Monroe Pickett (insert offender name and TDCJ number), being  
presently incarcerated in \_\_\_\_\_ (insert TDCJ unit name), in  
Paso County, Texas; declare under penalty of perjury that the foregoing is true  
and correct.

Executed on the 14 day of January, 2022. Freddie Monroe Pickett  
(Offender Signature)

\*\*\*\*\*

**NOTICE****NOTARY PUBLIC SERVICE DENIAL**

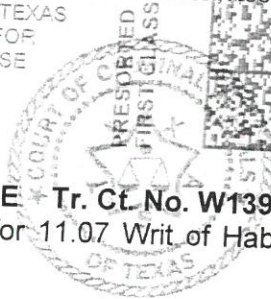
Regarding your request for Notary Public service, insufficient justification was provided necessitating Notary Public service. However, you may proceed with an Unsworn Declaration.

Anna J. Kincaid  
(Signature - Notary)

1/14/22

(Date)

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS FILE COPY  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711  
STATE OF TEXAS  
PENALTY FOR  
PRIVATE USE



U.S. POSTAGE PITNEY BOWES  
ZIP 78701 \$ 000.31<sup>8</sup>  
02 4W  
0000376979 NOV 23 2021

11/19/2021

PICKETT, FREDDIE MONROE Tr. Ct. No. W13919-01

WR-62,048-05

On this day, the application for 11.07 Writ of Habeas Corpus has been received and presented to the Court.

Deana Williamson, Clerk

FREDDIE MONROE PICKETT  
COFFIELD UNIT - TDC # 1445772  
2661 FM 2054  
TENNESSEE COLONY, TX 75884

*CID*

MIWNAB 75884



XX PRST FCM 02/02/22 752 XX

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS FILE COPY  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711  
STATE OF TEXAS  
PENALTY FOR  
PRIVATE USE



U.S. POSTAGE PITNEY BOWES  
ZIP 78701 \$ 000.31<sup>8</sup>  
02 4W  
0000372106 FEB 01 2022

1/26/2022

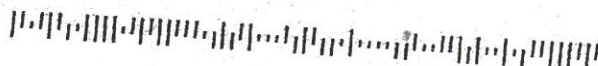
PICKETT, FREDDIE MONROE AKA PICKETT, FREDDY MONROE Tr. Ct. No.  
W13919-01 WR-62,048-05

On this day, this Court has dismissed applicant's "MOTION TO DISCOVERY EVIDENCE OLD & NEW...".

Deana Williamson, Clerk

FREDDIE MONROE PICKETT  
FORT STOCKTON UNIT - TDC # 2249871  
1536 E IH 10  
FORT STOCKTON, TX 79735

AIZWAAB 79735



*26*





## Texas Department of Criminal Justice

# STEP 1 OFFENDER GRIEVANCE FORM

Pickett, Freddie

Offender Name: Pickett, Freddie, Monroe TDCJ # 22249871

Unit: Coffield Housing Assignment: P-1-C-108

Unit where incident occurred: Coffield Unit Law Library

Supervisor Mullinar - % Mostly - male % no name tag?

## OFFICE USE ONLY

Grievance #: 2022017314

Date Received: OCT 14 2021

Date Due: 11-23-21

Grievance Code: 707

Investigator ID #: I2599

Extension Date: \_\_\_\_\_

Date Retd to Offender: OCT 25 2021

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Notarize and Certified mail on 11.07 When? Oct-12-2021

What was their response? Pickett is indigent 700 certified mail, Not her money tax payer

What action was taken? she refused to Notarize 11.07. She did neither

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

see: Freddie, Monroe, Pickett 2/K/a Freddy, Monroe, Pickett VS STATE OF TEXAS  
No. 02-19-00090-02 April-30-2020. on Clerk's Memorandum opinion because  
because Pickett filed a Pro-se response Pickett's counsels "with drawn" since  
Hutchins Unit Supervisor or % Marshall wouldn't Notarize Motion's  
Petition's, Clerk refused response a unsworn Declaration was attached  
to each Motion, when Notary sign & stamps Motion it became a document  
and STATE In the United STATE of America that has it own government  
unsworn Declaration will not be honored, Same with Supervisor Mullinar  
11.07 3(C) state in black & white to have 11.07 sent by Certified mail  
or have it Notary, Because of the Corruption in STATE OF TEXAS law  
for Example Freddy, Monroe, Pickett TDCJ # 904639 was falsely -  
imprisoned 2004-Nov-2005 Judge Wayne, Birdwell had me sent  
straight here: see 356 Fed. Appx. 754 I file Petition 28 USC-2254  
for writ of certiorari to the United State Court of Appeals for the Fifth  
Circuit Denied Pickett twenty five (25) million dollars, but Pickett won docket  
#09-9767, ? has to be refiled at STATE OF TEXAS Supreme Court Civil  
case Now. I have 10 cases against the STATE of Texas like Pickett v. Lawson  
325 Fed. Appx. 304 (2009) Westlaw can not publication in books in the Fed-  
Reporter, because STATE OF TEXAS "Perjury" their self in Black & white  
NO: 08-10900 June-2-2009, talk about put your boots on, don't want to  
step in any cow poe - or Cow Poopoo, and Please contact B.B.D.P.S  
office in Austin, Tx & Correction and clarification (NCIC Report)  
Pickett has No Ass assault with a deadly weapon on NCIC report



11.07 was mail from Coffield Unit Law Library and signed By  
 Supervisor Mallinax she or her staff deliver to Coffield mail Room  
 to be mail out TO: District Clerk Tonna Turnible, Hitt  
 355th Judicial District Court Hood Justice Center  
 1200 West Pearl Street (on 10-13-2021)  
 Granbury Texas 76048  
 Texas Department for Public Safety state By mail TDCJ has the  
 same Computer at TDCJ Law Library, where the NCIC report is  
 Please correct T.D.C.J Records 30536 is simple Assault  
 Thank You

## Action Requested to resolve your Complaint

would like certified letter from this mailroom that 11.07 was mail off Oct-13  
 2021 to above address for Supervisor to either (Notary) or Certified my mail

Offender Signature: Freddie Monroe PichlerDate: Oct-13-2021

## Grievance Response:

An investigation has been conducted. The Law Library does not notarize 11.07 forms. Inmates may write or type unsworn declaration, which is accepted by the courts. Inmates incarcerated in the Texas Department of Criminal Justice (TDCJ) may use an unsworn declaration under penalty of perjury of a written declaration, verification, certification, oath, or affidavit sworn before a notary public. Inmates requesting notary public services must explain in their request why an unsworn declaration will not be sufficient for the document to proceed. Otherwise, notary public service will be denied.

No further action will be taken at this time

Signature Authority: OS Warden DeLappDate: 10/22/21

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☒ 2. Submission in excess of 1 every 7 days. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # \_\_\_\_\_
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature: \_\_\_\_\_

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: \_\_\_\_\_

I-127 Back (Revised 11-2010)

## OFFICE USE ONLY

Initial Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2<sup>nd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3<sup>rd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

Appendix F

127

Back side Step 1





## Texas Department of Criminal Justice

## STEP 2

OFFENDER  
GRIEVANCE FORM

## OFFICE USE ONLY

Grievance #: 2022017314

UGI Recd Date: 11-8-21

HQ Recd Date: NOV 15 2021

Date Due: 12-18-21

Grievance Code: 707

Investigator ID #: 10720

Extension Date:

Date Retd to Offender:

Offender Name: Freddie Monroe Pickett TDCJ # 02249871

Unit: Coffield N5 Housing Assignment: C-108

Unit where incident occurred: Coffield Juv 2

Supervisor Mullinax over the "NCS" report certified mail and refusings to Notarize N or Petition's

You must attach the completed Step 1 Grievance form that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). I am dissatisfied with the response at Step 1 because...

at the bottom of step 1 Grievance form TDCJ Records + Classification has me listed CR:30536 out of Johnson, Co. City Cleburn Tx 1995 Simple assault? why did TDCJ Records + Classification altered government documents to Agg assault with a deadly weapon on NCIC report "showing simple assault on CR:30536, read page 121 4 chapter Rules governing offenders access to the court thru Law Libraries, this is over Freddie Monroe Pickett criminal history (ATC) Supervisor Mullinax stating the need for the item as well as justification for a legal accommodation. Pickett has request by I-40 to Law Library on Coffield Supervisor Mullinax. stated we dont do that here? the Director Mr. Steven McCraw www.dps.texas.gov ask for 1335 since Im indigent, he refers back to TDCJ Law Library capability as Texas Dept of Public Safety. I would like two copies of criminal history to attach to Motion or Petition this violation of due process and equal protection under the fourteenth amendment of the United States and article one(1) section (3) three of Texas Constitution and this pro-long time in Court - statute of limitation is on 354 Fed. Appx 756 May-24-2010 #09-5767 Pickett was falsely imprisoned 2004 to Nov-2005 see: Pickett v Texas 354 Fed Appx 756 Dec-18-2009 where D.A altered discharge paperwork. I've ask our God to do all in veld the same way on earth + heaven. cruel + unusual punishment is when Law Library files to photocopy requested paperwork to court, Pickett filed Pro-se #02-19-000 90-cv

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

since % Marshall would notary Motion's - Petition Pickett has sent

I-128 Front (Revised 11-2014)

approximately 22 letter's. Not so. Since TDCJ

Offender Grievance Operations Manual  
Appendix G

wouldnt Notary Motion's - Petition's because of incompetents like

not worth the Paper it has been written on, then we have 50 Mosky  
if she read some of the Law books on Rules and Regulations  
Unsworn Declaration can not be sent in on 1/8 or 1/4 sheet of  
Paper. Please contact Tara Burson and or Debra Gibb and clean off record  
on the Assault with a Deadly weapon, and apologize to the Courts  
and to Me. See NCIC Report Sincerely

Offender Signature: Freddie Monroe Pickett

Date: Nov-5-2021

Grievance Response:

Step 1 has addressed your complaint. Notary Public service is provided in accordance with ATC-060. The 11.07 court form is not required to be notarized. According to the 11.07 court form instructions, #9, "You must verify the application form by signing either the appropriate Unsworn Declaration or the 'Oath Before a Notary Public,' which are at the end of this form." No further action is warranted.

J. Pegoda, Program Administrator  
Access to Courts, Counsel and Public Officials

Signature Authority:

Jeania Pegoda

Date:

December 13, 2022

Returned because: \*Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 6. Inappropriate. \*

CGO Staff Signature: \_\_\_\_\_

#### OFFICE USE ONLY

Initial Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2<sup>nd</sup> Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3<sup>rd</sup> Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_



FREDDIE MONROE PICKETT, Plaintiff-Appellant, v. STATE OF TEXAS; DAVID W. VERNON, Assistant District Attorney; WILLIAM W. SEIGAN, Director; GLENDA RICKMAN, Custodian of Records; RISSI OWENS, Defendants-Appellees.  
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT  
356 Fed. Appx. 756; 2009 U.S. App. LEXIS 27904  
No. 09-10368 Summary Calendar  
December 18, 2009, Filed

**Notice:**

**PLEASE REFER TO FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1 GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.**

**Editorial Information: Subsequent History**

US Supreme Court certiorari denied by *Pickett v. Tex.*, 2010 U.S. LEXIS 4227 (U.S., May 24, 2010)

**Editorial Information: Prior History**

{2009 U.S. App. LEXIS 1}

Appeal from the United States District Court for the Northern District of Texas. USDC No. 4:08-CV-00594. *Pickett v. Texas*, 2009 U.S. Dist. LEXIS 28053 (N.D. Tex., Apr. 2, 2009)

**Counsel**

FREDDIE MONROE PICKETT (# 1445772), Plaintiff - Appellant, Pro se,  
Pampa, TX.

**Judges:** Before GARZA, CLEMENT, and OWEN, Circuit Judges.

**Opinion**

{356 Fed. Appx. 757} PER CURIAM: \*

Freddie Pickett, a Texas state prisoner, appeals the district court's dismissal of his complaint seeking relief under 42 U.S.C. § 1983. Pickett, proceeding pro se and *in forma pauperis*, sued the State of Texas and four officials for problems connected with his parole release date. Pickett alleges that the defendants conspired together to alter documents to change his parole discharge date from April 2003 to April 2004. He contends that as a result, he was falsely imprisoned for 21 months. The district court dismissed his complaint on statute-of-limitations grounds.

We review the district court's dismissal of a prisoner's complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim de novo. 1 To avoid dismissal for failure to state a claim, a plaintiff's {2009 U.S. App. LEXIS 2} complaint must plead enough facts to "state a claim to relief that is plausible on its face." 2 A district court may *sua sponte* dismiss a complaint under § 1915 if it is clear from the complaint that the claims are time-barred. 3

{356 Fed. Appx. 758} Because there is no federal statute of limitations for § 1983 claims, the forum state's personal-injury limitations period applies. 4 In Texas, the relevant limitations period is two years. 5 Federal law, however, governs when Pickett's claims accrued. 6 Under federal law, a § 1983

claim accrues "when a plaintiff knows or has reason to know of the injury which is the basis of the action." 7

The district court correctly determined that Pickett's claims are time-barred. Pickett filed his complaint on October 3, 2008, and thus his claims would be timely only if they accrued {2009 U.S. App. LEXIS 3} on or after October 3, 2006. Pickett alleges that his parole discharge date was altered in documents during a July 15, 2004 parole hearing and in a March 29, 2005 affidavit. The allegations provide no suggestion that Pickett did not know of the purported alterations until on or after October 3, 2006, and moreover, Pickett acknowledges that he contacted a clerk with the Texas Court of Criminal Appeals about the alleged alterations on August 5, 2005. In addition, Pickett has presented no plausible argument as to why the statute of limitations should have been tolled, and we have found no grounds for equitable tolling in the complaint.

Pickett's appeal is without arguable merit and is DISMISSED as frivolous. 8 The district court's dismissal of Pickett's complaint and this court's dismissal of this appeal count as two strikes for purposes of 28 U.S.C. § 1915(g). 9 Because Pickett has previously received two strikes as a result of this court's dismissal of his appeal in *Pickett v. Slawson*, 10 he is therefore barred from proceeding *in forma pauperis* in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical {2009 U.S. App. LEXIS 4} injury. 11

\* \* \*

APPEAL DISMISSED; 28 U.S.C. § 1915(g) BAR IMPOSED.

#### Footnotes

\*

Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

1

*Harris v. Hegmann*, 198 F.3d 153, 156 (5th Cir. 1999).

2

*Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949, 173 L. Ed. 2d 868 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007)) (internal quotation marks omitted).

3

*Moore v. McDonald*, 30 F.3d 616, 620 (5th Cir. 1994).

4

*Harris*, 198 F.3d at 156-57.

5

TEX. CIV. PRAC. & REM. CODE § 16.003(a).

6

*Harris*, 198 F.3d at 157.

7

*Id.* (internal quotation marks and citation omitted).

8



See 5TH CIR. R. 42.2; *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983).  
9

See *Adepegba v. Hammons*, 103 F.3d 383, 388 (5th Cir. 1996).  
10

326 Fed. App'x 204 (5th Cir. 2009).  
11

See 28 U.S.C. § 1915(g).

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TEXAS  
\_\_\_\_\_  
DIVISION

Freddie Monroe Pickett

TDCJ # 02249871

Plaintiff's name and ID Number

Fort Stockton Unit 1536 IH 10 East

Fort Stockton Texas 79735

Place of Confinement

CASE NO. \_\_\_\_\_

(Clerk will assign the number)

V.

Freddie Monroe Pickett #02249871

Fort Stockton Unit 1536 IH 10 East

Fort Stockton Texas 79735

Defendant's name and address

APPLICATION TO PROCEED  
IN FORMA PAUPERIS

I, Freddie M. Pickett, declare, depose, and say I am the Plaintiff in the above entitled case. In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state because of my poverty, I am unable to pay in advance the filing fee for said proceedings or to give security for the filing fee. I believe I am entitled to relief.

I, further declare the responses which I have made to the questions and instructions below are true.

1. Have you received, within the last 12 months, any money from any of the following sources?

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| a. Business, profession or from self-employment?   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b. Rent payments, interest or dividends?           | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| c. Pensions, annuities or life insurance payments? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| d. Gifts or inheritances?                          | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| e. Family or friends?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| f. Any other sources?                              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If you answered YES to any of the questions above, describe each source of money and state the amount received from each during the past 12 months.

\_\_\_\_\_  
\_\_\_\_\_

2. Do you own cash, or do you have money in a checking or savings account, including any funds in prison accounts?

Yes ☐ No ☒

If you answered YES to any of the questions above, state the total value of the items owned.

\_\_\_\_\_  
\_\_\_\_\_



**NOTICE**  
**INMATE NOTARY PUBLIC SERVICE**

Under both Federal law (28 U.S.C § 1746) and State law (V.T.C.A. Civil Practice & Remedies Code, §132.001-132.003), inmates incarcerated in Texas may use an unsworn declaration under penalty of perjury in place of a written declaration, verification, certification, oath, or affidavit sworn before a Notary Public.

In a request for Notary Public service, each inmate must explain why an Unsworn Declaration is insufficient before Notary Public service will be provided.

\*\*\*\*\*

*An example of an unsworn declaration pursuant to State law is as follows:*

"My name is Freddie Monroe Pickett my date of birth is Nov-14-1956,"  
(First) (Middle) (Last)

and my inmate identifying number, is 2249871. I am presently incarcerated in

Fort Stockton in Fort Stockton  
(Corrections unit name) (City)

Pecos Texas 79735. I declare under penalty of  
(County) (State) (Zip Code)

perjury that the foregoing is true and correct.

Executed on the 17th day of Feb, 2022. Freddie M. Pickett  
(Inmate Signature)

\*\*\*\*\*

*An example of an unsworn declaration pursuant to **Federal law** is as follows:*

I Freddie Monroe Pickett (insert inmate name and TDCJ number), being presently incarcerated in Fort Stockton (insert TDCJ unit name), in Fort Stockton Pecos County, Texas, declare under penalty of perjury that the foregoing is true and correct.

Executed on the 17th day of February, 2022. Freddie M. Pickett  
(Inmate Signature)

\*\*\*\*\*

**NOTICE**  
**NOTARY PUBLIC SERVICE DENIAL**

Regarding your request for Notary Public service, insufficient justification was provided necessitating Notary Public service. However, you may proceed with an Unsworn Declaration.

Kona J. Kincaid  
(Signature - Notary)

Feb. 17, 2022  
(Date)

3. Do you own real estate, stocks, bonds, note, automobiles, or other valuable property, excluding ordinary household furnishings and clothing?

Yes ☐

No ☒

If you answered YES, describe the property and state its approximate value.

---

---

I understand a false statement in answer to any question in this affidavit will subject me to penalties for perjury. I declare (certify, verify, or state) under penalty of perjury that the foregoing is true and correct (28 U.S.C. §1746).

Signed this the 17th day of February, 20 22.

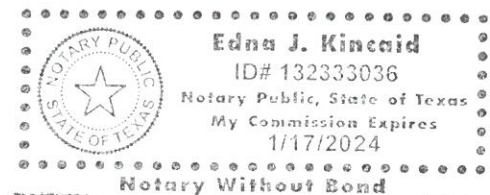
Freddie M. Pickel 2249871  
Signature of Plaintiff ID Number

**YOU MUST ATTACH A CURRENT SIX (6) MONTH HISTORY OF YOUR INMATE TRUST ACCOUNT. YOU CAN ACQUIRE THE APPROPRIATE INMATE ACCOUNT CERTIFICATE FROM THE LAW LIBRARY AT YOUR PRISON UNIT.**



CSINIB02/CINIB02 TEXAS DEPARTMENT OF CRIMINAL JUSTICE 02/17/22  
1N0K/MA00167 IN-FORMA-PAUPERIS DATA 14:16:29  
TDCJ#: 02249871 SID#: 02165573 LOCATION: FORT STOCKTON INDIGENT DTE: 03/20/19  
NAME: PICKETT, FREDDIE MONROE BEGINNING PERIOD: 08/01/21  
PREVIOUS TDCJ NUMBERS: 00283180 00904639 01445772 02044340  
CURRENT BAL: 0.00 TOT HOLD AMT: 0.00 3MTH TOT DEP: 4.58  
6MTH DEP: 12.24 6MTH AVG BAL: 0.00 6MTH AVG DEP: 2.04  
MONTH HIGHEST BALANCE TOTAL DEPOSITS MONTH HIGHEST BALANCE TOTAL DEPOSITS  
01/22 1.80 2.90 10/21 5.96 5.96  
12/21 1.10 1.68 09/21 0.00 0.00  
11/21 0.00 0.00 08/21 1.70 1.70

STATE OF TEXAS COUNTY OF Pecos  
ON THIS THE 17<sup>th</sup> DAY OF February, 2022 I CERTIFY THAT THIS DOCUMENT IS A TRUE,  
COMPLETE, AND UNALTERED COPY MADE BY ME OF INFORMATION CONTAINED IN THE  
COMPUTER DATABASE REGARDING THE OFFENDER'S ACCOUNT. NP SIG: Edna J. Kincaid  
PF1-HELP PF3-END ENTER NEXT TDCJ NUMBER: \_\_\_\_\_ OR SID NUMBER: \_\_\_\_\_



C. Has any court ever warned or notified you that sanctions could be imposed? YES NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): \_\_\_\_\_
2. Case number: \_\_\_\_\_
3. Approximate date warning was issued: \_\_\_\_\_

Executed on: Feb-17-2022  
DATE

Freddie M. Pickett  
(Signature of Plaintiff)

### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 17th day of February, 20 22.  
(Day) (month) (year)

Freddie M. Pickett  
(Signature of Plaintiff)

**WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.**



From: Freddie Monroe Rickett

00154-0 Document 21

Filed 02/28/22

Page 77 of 78

PageID 77

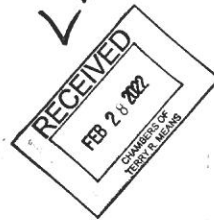
## Fort Stockton Unit

1536 IH 10 East

Fort Stockton Texas 79735



LEGAL



United STATE DISTRICT JUDGE

Mr. Terry R. Moan's

501 West 10th Street Room 310

Fort Worth Texas 76102-3676



PROSECUTOR GENERAL  
ATTORNEY GENERAL  
DEPT. OF JUSTICE  
INSTITUTIONS DIVISION